# **CUSTOMS BULLETIN**

### TREASURY DECISIONS

UNDER CUSTOMS AND OTHER LAWS

# VOL. 6 JANUARY-DECEMBER 1972

GEORGE P. SHULTZ Secretary of the Treasury



U.S. GOVERNMENT PRINTING OFFICE WASHINGTON: 1973

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# CUSTOMS BULLETIN

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### FOREWORD

This volume contains Treasury Decisions pertaining to the Bureau of Customs originally printed in the weekly Customs Bulletin during the period January through December 1972.

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\* (R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 10 U.S.C.

Section 1.5 relating to the Customs Agency Service, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

of its publication in the Federa

### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART I-GENERAL PROVISIONS

To provide for more effective enforcement, jurisdiction over Coos County, New Hampshire, is transferred from the Special Agent in Charge, Boston, Massachusetts, in Customs Agency District No. 1 to the Special Agent in Charge, Rouses Point, New York, in Customs Agency District No. 20.

To effect this change, the table in section 1.5 of the Customs Regulations is amended as follows:

In Customs Agency District No. 1:

Under "CUSTOMS AGENCY SERVICE DISTRICTS AND SUBOFFICES," in the column headed "AREA OF JURISDICTION," the area of jurisdiction of the Special Agent in Charge, Boston, Massachusetts, is revised to read:

The States of Maine, Massachusetts, and Rhode Island; the State of New Hampshire except for Coos County; and that part of the State of Connecticut east of a straight line (running north and south) midway between Bridgeport and New Haven.

In Customs Agency District No. 20:

Under "CUSTOMS AGENCY SERVICE DISTRICTS AND SUBOFFICES," in the column headed "AREA OF JURISDICTION," the area of jurisdiction of the Special Agent in Charge, Rouses Point, New York, is revised to read:

The State of Vermont; that part of the State of New Hampshire comprising Coos County; and that part of the State of New York east of 77° west longitude and north of 42° north latitude.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624.)

This amendment involves a matter relating to agency management and, therefore, is excepted from the requirements for notice and public procedure by 5 U.S.C. 553 (a) (2)

Effective date: This amendment shall become effective on the date of its publication in the Federal Register.

(014)

LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved December 13, 1971:

EUGENE T. Rossides, Derroll aut de apreso

Assistant Secretary of the Treasury.

[Published in the Federal Register December 28, 1971 (36 F.R. 24991)]

(T.D. 72-2)

CHAPTER I - Housest or

Instruments of international traffic—Customs Regulations amended

Containers arriving empty to pick up export cargo, use in incidental point-topoint local traffic; section 10.41a, Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Treasury Decision 69-216, dated September 19, 1969 (34 F.R. 14886), amended paragraph (f) of section 10.41a, Customs Regulations, to permit containers arriving in the United States with cargo to be used in point-to-point local traffic in the United States on a reasonably direct route to, or nearer to, the place where export cargo is to be loaded or where the container is to be re-exported empty. Such local traffic must be incidental to the efficient and economical utilization of the containers in the course of their use in international traffic. A notice of a proposal to further amend paragraph (f) to provide that containers arriving empty to pick up export cargo may be used in incidental point-to-point local traffic was published in the Federal Reg-

ister on August 24, 1971 (36 F.R. 16590). Consideration was given to all relevant matter presented in response to that notice, and it has been decided to adopt the proposed rule without change.

Accordingly, paragraph (f) of section 10.41a, Customs Regula-

tions, is amended to read as follows:

(f) Except as provided in paragraph (i) of this section, no part of this section precludes (1) the use of an instrument in picking up and delivering loads at intervening points in the United States while en route between the port of arrival and the point of destination of its imported cargo, (2) such use of the instru-ment while en route from such point of destination of imported cargo to a point where export cargo is to be loaded or to an exterior port of departure by a reasonably direct route to, or nearer to, the place of such loading or departure, or (3) such use of a "container", as defined in Article 1 of the Customs Convention on Containers (see paragraph (a)(3) of this section), which arrived empty while en route between the port of arrival and a point where export cargo is to be loaded or from that point to an exterior port of departure by a reasonably direct route to, or nearer to, the place of such loading or departure, provided such point-to-point traffic is incidental to the efficient and economical utilization of the instrument in the course of its use in international traffic. Such use does not constitute a diversion to unpermitted point-to-point local traffic within the United States or a withdrawal of an instrument in the United States from its use as an instrument of international traffic under this section.

(80 Stat. 379, R.S. 251, as amended, sec. 14, 67 Stat. 516; 5 U.S.C. 301, 19 U.S.C. 66, 1322.)

The amendment will relax existing restrictions on the use of containers admitted as instruments of international traffic in point-topoint local traffic in the United States. Good cause is found, therefore, for dispensing with the delayed effective date provision of 5 U.S.C. 553(d).

Effective date: This amendment shall become effective on the date of its publication in the Federal Register.

Myles J. Ambrose, Commissioner of Customs.

entry procedure is limited to the collec-

Approved December 13, 1971: EUGENE T. ROSSIDES, Assistant Secretary of the Treasury.

[Published in the Federal Register December 28, 1971 (36 F.R. 24991)]

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Evidence of right to make entry—Merchandise released from Customs custody to carrier—Customs Regulations amended

Addition of paragraph (n) to section 8.6, Customs Regulations, relating to evidence of the right to make entry

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

### CHAPTER I-BUREAU OF CUSTOMS

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

The following regulation will make optional the production of documentary evidence of the right to make entry by the consignee in those cases where Customs releases merchandise to the carrier, not to the order of the carrier. Under this paragraph the carrier's act of delivering the goods to the person making entry is considered to be the certification that such person is owner or consignee. Present procedure requires that the person making entry either produce a bill of lading or a certificate executed by the carrier certifying that the person named therein is the owner or consignee.

Section 8.6 is amended by adding thereto a paragraph (n) reading:

(n) Where, in accordance with subsection (j) of section 484, Tariff Act of 1930, as amended, merchandise is released from Customs custody (either under immediate delivery procedures in accordance with the provisions of section 8.59 of this Part, or after an entry has been made and estimated duties deposited, where appropriate) to the carrier by whom the merchandise was brought to the port, the delivery of the merchandise by the carrier to the person making entry and depositing the estimated duties shall be deemed to be the certification required by subsection (h), section 484, Tariff Act of 1930. Customs responsibility under this optional entry procedure is limited to the collection of duties, and constitutes no representation whatsoever regarding the right of any person to obtain possession of the merchandise from the carrier. Consequently, no Customs official shall be liable to any person in respect to the delivery of merchandise released from Customs custody in accordance with the provision of this paragraph. (Sec. 484, 46 Stat. 722, as amended; 19 U.S.C. 1484.)

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

Notice of proposed rulemaking was published in the Federal Register for January 16, 1971 (36 F.R. 781). Interested persons were given an opportunity to submit relevant data, views, or arguments in writing regarding the proposed amendment. All comments received have been carefully considered.

Effective date: This amendment shall become effective 30 days after publication in the Federal Register.

(321.21)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved December 13, 1971:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register December 31, 1971 (36 F.R. 25404)]

### (T.D. 72-4)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., December 20, 1971.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Argentine peso:

For the period December 13 through December 17, 1971, rate of \$0.199251.

### Denmark krone:

December	13,	1971	\$0.	139150	Lnd
		1971		139062	
		1971		139345	
		1971		139525	
		1971		139400	

Hong Kong dollar: deliding as a guildinastir becorning to some A

For the period November 8 through November 12, 1971, Official rate of \$0.165000 and the following Free rates:

November 8, 1971\_\_\_\_\_\_\$0.170632\*

November 9, 1971\_\_\_\_\_\_ 170632\*

November 10, 1971\_\_\_\_\_\_\_.170559\*

### Iran rial: I wiwoll

For the period November 29 through December 3, 1971, rate of \$0.0130859.

Philippine peso:

For the period November 29 through December 3, 1971, rate of \$0.154000.

Thailand baht (tical):

For the period November 29 through December 3, 1971, rate of \$0.0477250.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,
Acting Commissioner of Customs.

(T.D. 72-5)

Lightweight luggage

Restriction on importation

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 22, 1971.

Pursuant to the direction of the President, dated December 13, 1971, the Bureau of Customs has notified all appropriate Customs officers that pursuant to section 337(f), Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), lightweight luggage manufactured in accordance with the claims of U.S. Letters Patent Nos. 3,298,480 and Re. 26,443, held by Atlantic Products Corporation of Trenton, New Jersey, may not be entered or released from Customs custody except pursuant to a special bond in an amount equal to the domestic value of the mer-

<sup>\*</sup>Certified as nominal rates.

chandise. The filing of this special bond is in addition to all other entry requirements including the filing of an appropriate entry bond. The format and conditions of the special bond are set forth in T.D. 45474.

The restricted articles are those which embody the inventions set out in (1) Claim 4 in U.S. Letters Patent No. 3,298,480 and (2) Claim 5 in Reissued Patent No. 26,443 described as follows:

(1) Claim 4—A carrying case comprising a generally tubular frame, carrying handle means connected to a central portion of said tubular frame, front and rear side panels of flexible material extending across the opposite ends of said tubular frame; first stitch line means extending through one end of said frame and the periphery of said front panel; second stitch line means extending through the other end of said frame and the periphery of said rear panel whereby said first and second stitch line means secure said front and rear panels to said frame; said front panel comprising a separate U-shaped central flap portion extending down from one end of said front panel and a body portion receiving said flap portion as a closure; a coiled plastic zipper connecting said flap portion to said body; said zipper extending along the full length of the junction between said flap portion and said body portion with both ends of said zipper extending beyond the said one end of said front panel; said first stitch line means extending directly

through said both ends of said zipper.

(2) Claim 5-In a carrying bag; a main enclosed frame having first and second side panels enclosing the ends of said frame; one of said side panels having a U-shaped flap therein cooperating with a U-shaped opening therein; and zipper means extending between the edge of said U-shaped flap and the edge of said U-shaped opening to secure said flap to said one of said side panels and to provide access to the interior of said bag when said zipper means is open; said zipper means comprising first and second cooperating zipper halves having respective extending fabric portions for securement of said zipper halves; first and second connection means; said fabric portion of said first zipper portion enveloping around the full length of the said edge of said U-shaped opening and connected along the full length of the said edge of said U-shaped opening in said one of said panels by said first connection means; said fabric portion of said second zipper portion enveloping around the full length of the said edge of said U-shaped flap and connected along the full length of said edge of said U-shaped flap by said second connection means; said first zipper half having a free edge extending outwardly from the exterior surface of said one of said panels adjacent its said edge; said second zipper half having a free edge extending outwardly from the interior surface of said flap.

These articles are generally classified under item 706.60, TSUS. (641)

LEONARD LEHMAN, Acting Commissioner of Customs.

[Published in the Federal Register December 28, 1971 (36 F.R. 25053)]

(T.D. 72-6)

#### Bonds

Approval and discontinuance of consolidated aircraft bond (air carrier blanket bond), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 28, 1971.

The following consolidated aircraft bond has been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued in the month, day, and year represented by the figures which follow.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of cus- toms; amount	
Abitibi Paper Co., Ltd., Toronto-Dominion Centre, Toronto 111, Canada; St. Paul Fire & Marine Ins. Co. D 12/15/71	Dec. 21, 1970	Jan. 13, 1971	Detroit, Mich.; \$100,000	

(232.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-7)

### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 28, 1971.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed district director/area director; amount
Park Benziger & Co., Inc. (A New York Corp.), 674 White Plains Rd., Scarsdale, N.Y.; Federal Ins. Co.	Nov. 26, 1971	Nov. 26, 1971	New York Sea- port; \$10,000
California Cargo Containers Inc., 801 Maritime St., Oakiand, Calif.; Hartford Accident & Indemnity Co. D 12/10/71.	Aug. 3, 1970	Aug. 19, 1970	San Francisco, Calif.; \$20,000
Circle Forwarders Inc., 4461 West Jefferson, Detroit, Mich.; St. Paul Fire & Marine Ins. Co. D 11/22/71.	July 15, 1970	Aug. 18, 1970	Detroit, Mich.; \$10,000
Dribeck Importers Inc. (A Delaware Corp.), 118-21 Queens Boulevard, Forest Hills, N.Y.; Peerless Ins. Co. PB(12/8/65) D 12/3/71	Dec. 3, 1971	Dec. 3,1971	New York Seaport; \$10,000
Edlow International Co., 1100 17th St., N.W., Washington, D.C.; The Travelers Indemnity Co.	Nov. 1, 1971	Nov. 15, 1971	Washington, D.C.; \$10,000
Golden Brand Bottling Co., Inc., 2045 McKinnon Ave., San Francisco, Calif.: St. Paul Fire & Marine Ins. Co.	Nov. 12, 1971	Nov. 18, 1971	San Francisco, Calif.; \$10,000
C. M. Hall Lamp Co., 1635 E. Hancock Ave., Detroit, Mich.: St. Paul Fire & Marine Ins. Co.	Nov. 16, 1971	Nov. 18, 1971	Detroit, Mich.; \$10,000
Fred Imbert, Inc., Fdez. Juncos Ave., Exide Bldg., San Juan, P.R.; Ins. Co. of North America PB(9/6/67) D 11/18/71 <sup>2</sup>	Nov. 12, 1971	Nov. 18, 1971	San Juan, P.R.; \$10,000
R. J. Kunik & Co., Inc., One Decker Sq., Bala Cynwyd, Pa.; Federal Ins. Co. (PB 12/27/68) D 12/27/71 3	Dec. 27, 1971	Dec. 27, 1971	Philadelphia, Pa.; \$25,000
H. A. & J. L. Wood Inc., Pembina, N.D.; St. Paul Fire & Marine Ins. Co.	Dec. 6, 1971	Dec. 6, 1971	Pembina, N. D.; \$10,000

Principal is Dribeck Importers

(542.113)

Leonard Lehman,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

Surety is St. Paul Fire & Marine Ins. Co.

<sup>&</sup>lt;sup>2</sup>Surety is Seaboard Surety Company <sup>3</sup> Surety is New Hampshire Ins. Co.

Regulations have been appro (8-12. T.D. 72-18) timed as shown below. The

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Identifiability of certain electronic components in their condition as by many an margarithesis imported imported many association has been dis-

### DEPARTMENT OF THE TREASURY, Office of the Commissioner of Customs, Washington, D.C., December 23, 1971.

The Bureau has been asked on behalf of importers of semi-conductors to rule on various methods of identifying components of United States origin which are contained in imported semi-conductors and for which tariff treatment under item 807.00, Tariff Schedules of the United States (TSUS), is claimed. These proposals have been presented to the Bureau in view of the decision of the United States Customs Court in General Instrument Corporation v. United States, C.D. 4216 (1971), and the Bureau's Circular CON-1-TCR of August 12, 1971, issued pursuant to the Court's decision.

This ruling will concern itself primarily with the first proposal, the use of x-ray techniques to identify the components contained in the semi-conductors. The use of electrical tests either alone, or in conjunction with x-ray techniques, will be considered at a later date by the Bureau, if it should become necessary. The Bureau rejects without further consideration the third proposal, the use of sampling based upon the submission of sample semi-conductors contained in clear lucite or glass, exposing the components therein. Samples so constructed would not be truly representative of the articles in their condition as imported.

The Court held in General Instrument that components of United States origin in an imported article which could not "be readily identified by virtue of concealment" without consequent injury to all or part of the imported article had lost their physical identity and, therefore, were not entitled to tariff treatment under item 807.00 of the

tariff schedules.

The Bureau has examined the photographs accompanying the submission, as well as photographs submitted by other members of the electronics industry who make use of item 807.00 in connection with importations of semi-conductors on a regular basis. These photographs were made with use of X-ray machines which are readily available and presently in use throughout the United States. The photographs clearly and accurately make visible the components contained in the imported semi-conductors at least as well, if not better, than the components would be if they were exposed by dismantling and semi-conductors. The origin of the components cannot be determined by such X-ray examination alone. However, this is of no consequence since a determination of origin would require extrinsic documentation in any case. Further, the Bureau is satisfied, as a result of consultation with members of the electronics industry and the Director of the Bureau's Technical Services Division, that X-ray examination of semi-conductors does not in any way injure the semi-conductors or any parts thereof.

In view of the above the Bureau has concluded that the components contained in semi-conductors, with the exception of those encapsulated in epoxy or similar resins, are not precluded from item 807.00 by virtue of a loss of physical identity. It remains the Bureau's position that encapsulation abroad in resin of components of United States origin advances the condition of those components beyond that in which they were exported from the United States. Components so encapsulated are not entitled to item 807.00 treatment.

Bureau Circular CON-1-TCR of August 12, 1971, will be appro-

priately modified.

This ruling has been transmitted to the applicant on this date and is being published in the Customs Bulletin for the purpose of establishing a practice in accordance with section 16.10a(b) of the Customs Regulations (19 CFR 16.10a(b)).

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Myles J. Ambrose, Commissioner of Customs.

### real another than the (T.D. 72-9) as not a not mention and f

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 28, 1971.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Argentine peso:

For the period December 20 through December 23, 1971, rate temporarily suspended.

December 24, 1971\_\_\_\_\_\_\_\_ \$0. 199351

#### Denmark krone:

December 20, 1971 Temporarily	suspended
December 21, 1971	
December 22, 1971	. 141462
December 23, 1971	. 141320
December 94 1971	

### Hong Kong dollar:

For the period November 15 through November 19, 1971, Official rate of \$0.165000 and the following Free rates:

November	15, 1971	\$0.170632*
	16, 1971	.170595*
November	17, 1971	.170522*
November	18, 1971	.170595*
November	10 1071	170599*

#### Iran rial:

For the period December 6 through December 10, 1971, rate of \$0.0130859.

### Philippine peso:

For the period December 6 through December 10, 1971, rate of \$0.154750.

### Thailand baht (tical):

For the period December 6 through December 10, 1971, rate of \$0.0477250.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains, Acting Commissioner of Customs.

### (T.D. 72-10)

### Cotton textiles—Restriction on entry

Restriction on cotton textile products, in category 39 manufactured or produced in Barbados

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 30, 1971.

There is published below the directive of November 15, 1971, received by the Commissioner of Customs from the President's Cabinet

<sup>\*</sup>Certified as nominal rates

Textile Advisory Committee concerning the restriction on entry into the United States of cotton textile products in category 39, manufactured or produced in Barbados. This directive amends but does not cancel that Committee's directive of July 23, 1971 (T.D. 71-214).

This directive was published in the Federal Register on November 23, 1971 (36 F.R. 22264), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

November 15, 1971.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on July 23, 1971, from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textile products in Category 39, produced or manufactured in Barbados.

The first paragraph of the directive of July 23, 1971 is amended to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning May 28, 1971, and extending through May 27, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 39, produced or manufactured in Barbados, in excess of a level of restraint for the period of 127,636 dozen pairs 1."

The actions taken with respect to the Government of Barbados and with respect to imports of cotton textiles and cotton textile products from Barbados have been determined by the President's Cabinet

you on June 25, 1971, from the Chairman of the President's Cabinet

Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours, and and add add to have the first

Maurice H. Stans,

Secretary of Commerce

Chairman, President's Cabinet

Textile Advisory Committee

(T.D. 72-11)

Cotton textiles—Restriction on entry

Restriction on cotton textile products in Category 60 manufactured or produced in Thailand

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., December 30, 1971.

There is published below the directive of November 29, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textile products in category 60, manufactured or produced in Thailand. This directive amends but does not cancel that Committee's directive of June 25, 1971 (T.D. 71–186).

This directive was published in the Federal Register on December 2, 1971 (36 F.R. 23014), by the Interagency Textile Administrative Committee.

(343.3)

Leonard Lehman,
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

November 29, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on June 25, 1971, from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textile products in Category 60, produced or manufactured in Thailand.

The first paragraph of the directive of June 25, 1971 is amended to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning April 30, 1971, and extending through April 29, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 60, produced or manufactured in Thailand, in excess of a level of restraint for the period of 35,612 dozen."

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

James T. Lynn, Acting Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72–12)

Cotton textiles—Restriction on entry

Restriction on category 45 of cotton textile products manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 30, 1971.

There is published below the directive of November 16, 1971, received by the Commissioner of Customs from the Interagency Textile Administrative Committee further amending level of restraint for cotton textile products in category 45 manufactured or produced in

the Republic of China, contained in that Committee's directives of June 29 and August 31, 1971 (T.D.'s 71-188 and 71-252, respectively).

This directive was published in the Federal Register on November 23, 1971 (36 F.R. 22264), by the Interagency Textile Administrative Committee.

(343.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

November 16, 1971.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On June 29, 1971, the Chairman of the President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of China, and exported to the United States on or after January 1, 1971, in excess of the designated levels of restraint. This letter was subsequently amended by a letter of August 31, 1971, which increased the levels of restraint and extended the period of restraint through December 31, 1971. The Chairman further advised you that in the event that there were any adjustments in the levels of restraint you would be so informed by letter from the Chairman of the Interagency Textile Administrative Committee.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph five (5) of the bilateral cotton textile agreement of October 12, 1967, as amended and extended, between the Governments of the United States and the Republic of China, in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, and under the

<sup>&</sup>lt;sup>1</sup> The term "adjustments" refers to those provisions of the bilateral cotton textile agreement of October 12, 1967, as amended and extended, between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

terms of the aforementioned letter of June 29, 1971, as amended, the level of restraint provided in that letter for cotton textile products in Category 45 produced or manufactured in the Republic of China and exported from the Republic of China to the United States, for the period beginning January 1, 1971, and extending through December 31, 1971, is hereby increased to 13,464 dozen, to be effective as soon as possible.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER, Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources

(T.D. 72–13)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles manufactured or produced in Nicaragua

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., December 30, 1971.

There is published below the directive of December 1, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee, amending the level of restraint for category 22 cotton textiles, manufactured or produced in Nicaragua, contained in that Committee's directive of June 28, 1971 (T.D. 71-183).

This directive was published in the Federal Register on December 9, 1971 (36 F.R. 23412), by the Interagency Textile Administrative

Committee.

(343.3)

LEONARD LEHMAN, Acting Commissioner of Customs.

# THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 1, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on June 28, 1971, from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textile products in Category 22, produced or manufactured in Nicaragua.

The first paragraph of the directive of June 28, 1971 is amended to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning April 29, 1971, and extending through April 28, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 22, produced or manufactured in Nicaragua, in excess of a level of restraint for the period of 1,000,000 square yards."

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles and cotton textile products from Nicaragua have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

JAMES T. LYNN,
Acting Secretary of Commerce
Chairman, President's Cabinet
Textile Advisory Committee

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# Cotton textiles—Restrictions on entry

Restrictions on certain categories of cotton textile products manufactured or

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., December 30, 1971.

There is published below the directive of November 29, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restrictions on entry into the United States of cotton textile products in categories 53 and 61, manufactured or produced in Costa Rica.

This directive was published in the Federal Register on December 3, 1971 (36 F.R. 23096), by the Interagency Textile Administrative Committee.

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Leonard Lehman,

Acting Commissioner of Customs.

region of grid the first and the secretary of commerce the secretary of commerce washington, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

November 29, 1971.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning October 1, 1971, and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Categories 53 and 61, produced or manufactured in Costa Rica, in excess of the following levels of restraint:

Twelve-Month Level

Category of Restraint 

53 29, 400 dozen

61 89, 250 dozen

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect any entries made on or after October 1, 1971.

In carrying out this directive, entries of cotton textile products in Categories 53 and 61, produced or manufactured in Costa Rica and which have been exported to the United States from Costa Rica prior to October 1, 1971, shall not be subject to this directive.

Cotton textile products in Categories 53 and 61, produced or manufactured in Costa Rica, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Categories 53 and 61, in terms of T.S.U.S.A. numbers, was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Costa Rica and with respect to imports of cotton textile products from Costa Rica have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

JAMES T. LYNN; Acting Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-15)

Foreign currencies—Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the French franc and the Japanese yen

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 29, 1971.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 71-259 for the dates and countries indicated. Therefore, as to entries covering merchandise exported on the dates and from the countries listed,

whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

### French franc:

December	21,	1971	\$0. 191337
		1971 1701 19.19	. 191300
		1971	. 191312
		1971 1701 49 10	. 191306

### Japanese yen:

December	21,	1971	\$0.00317481	
December	22,	1971	. 00317500	
December	23,	1971	. 00317450	
		1971		

### and (342.211) reduced denouis at reduced bories at no

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register January 12, 1972 (37 F.R. 488)]

# (T.D. 72-16)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., January 4, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

### Argentine peso:

For the period December 27 through December 31, 1971, rate of \$0.199351.

### Denmark krone:

December 27, 1971	\$0.141137
December 28, 1971	. 141031
December 29, 1971	
December 30, 1971	
December 31, 1971	

Hong Kong dollar: acq amotar) and wassered at the garaged w

For the period November 22 through November 24 and November 26, 1971, Official rate of \$0.165000 and the follow-

ing Free rates:

November 22, 1971\_\_\_\_\_ \$0. 170632\* November 23, 1971\_\_\_\_\_\_\_. 170595\*

November 24, 1971\_\_\_\_\_\_\_, 170632\*

November 25, 1971\_\_\_\_\_ Holiday November 26, 1971\_\_\_\_\_\_. .170632\*

### Iran rial:

For the period December 13 through December 17, 1971, rate of \$0.0130859.

Philippine peso:

For the period December 13 through December 17, 1971, rate of \$0.156000.

Thailand baht (tical):

For the period December 13 through December 17, 1971, rate of \$0.0477250.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

# (T. D. 72–17)

Change of practice ruling

Tariff classification—Metalized vinyl tinsel garland

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D. C.

Pursuant to section 16.10a(d), Customs Regulations (19 CFR 16.10a (d)), the Bureau gave notice in the Federal Register on June 2, 1971 (36 F.R. 10743), that it was reviewing the existing established and uniform practice of classifying metalized vinyl tinsel garland approximately 3 inches wide, produced by cutting metalized film in lengths to simulate cedar and pine needles, which are entwined in one operation at the time of cutting around a cotton or wire core, so as to give the effect

<sup>\*</sup>Certified as nominal rates. I be already and The Language of the Language of

of 1½ inch needles branching off from a stem, as other Christmas decorations, of plastics, under item 772.97, Tariff Schedules of the United

States (TSUS), with duty at 10 percent ad valorem.

After a thorough review of the existing practice including consideration of all written data, views, and arguments submitted in reference to the notice of June 2, 1971, the Bureau has concluded that the merchandise described above is properly classifiable under the provision for Christmas tree ornaments of plastics, under item 772.95, TSUS, with duty at the rate of 15 percent ad valorem.

Heavier constructed metalized vinyl tinsel garland having simulated cedar and pine needles measuring approximately 4 inches or more will not be affected by this ruling and will continue to be classifiable as other

Christmas ornaments, under item 772.97, TSUS.

Inasmuch as this ruling results in the assessment of duty on the merchandise in question at a rate higher than has heretofore been assessed, it shall, pursuant to section 16.10a(d), Customs Regulations (19 CFR 16.10a(d)), be applicable only to merchandise entered, or withdrawn from warehouse, for consumption on or after the 91st day following publication of this ruling in the weekly Customs Bulletin.

(492.122)

Myles J. Ambrose, Commissioner of Customs.

Approved January 4, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register January 14, 1972 (37 F.R. 624)]

(T.D. 72-18)

Coastwise trade—Domestic movement of foreign-flag LASH/SEABEE-type barges

Merchandise moving in the foreign trade of the United States may, under certain conditions, be transported between domestic points after being transferred from one foreign-flag LASH/SEABEE-type barge to another

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 6, 1972.

Public Law 92-163, approved November 23, 1971, an Act "To facilitate the transportation of cargo by barges specifically designed for carriage aboard a vessel," is set forth below.

24

Section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), is further amended to authorize the Secretary of the Treasury, upon specified conditions being present, to suspend from that section's general prohibition against unqualified vessels transporting merchandise in the coastwise trade the transportation between points in the United States (excluding transportation between points in the 48 contiguous States and other points embraced within the coastwise laws) of merchandise moving in the foreign trade which has been transferred from one non-self-propelled barge which is specifically designed for carriage aboard a vessel and is regularly carried aboard a vessel in foreign trade to another such barge owned or leased by the same owner or operator.

Also, the exemption from application of section 27 afforded to the transportation of empty LASH/SEABEE-type barges (sixth proviso, clause (c); see Treasury Decision 68-227) is extended to equipment, other than propulsion equipment, for use with such barges.

Appropriate amendments to the regulations will be issued in the

near future, ab talload; talle on on meliphurenes and associate without

(216.131) which emote to a bloom out of quiter side to not boild by

LEONARD LEHMAN,
Acting Commissioner of Customs.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled. That:

SECTION 1. Section 27, Merchant Marine Act, 1920, as amended (46 U.S.C. 883), is further amended by inserting after "(c) empty barges specifically designed for carriage aboard a vessel" the words "and equipment, excluding propulsion equipment, for use with such barges", and by striking out the period at the end of said section 27 and inserting in lieu thereof a colon and the following: "Provided further, That upon such terms and conditions as the Secretary of the Treasury by regulation may prescribe, and, if the transporting vessel is of foreign registry, upon his finding, pursuant to information furnished by the Secretary of State, that the government of the nation of registry extends reciprocal privileges to vessels of the United States, the Secretary of the Treasury may suspend the application of this section to the transportation of merchandise between points in the United States (excluding transportation between the continental United States and noncontiguous states, districts, territories, and possessions embraced within the coastwise laws) which, while moving in the foreign trade of the United States, is transferred from a non-self-propelled barge certified by the owner or operator to be specifically designed for carriage aboard a vessel and regularly carried aboard a vessel in foreign trade to another such barge owned or leased by the same owner or operator, without regard to whether any such barge is under foreign registry or qualified to engage in the coastwise trade." SEC. 2. For a period of five years following the enactment of this Act, the Secretary of the Treasury shall at the beginning of each regular session make a report to the Congress regarding activities under this Act, including but not limited to the extent to which foreign governments are extending reciprocal privileges to the vessels of the United States.

Approved November 23, 1971.

(T.D. 72-19)

### miletol minimo la sonale Vessel bonds selle della fabrica adl

Revocation of T.D. 52948, which provided for the waiver of bonds required for vessels operated by or for the account of the United States, acting by and through the Commander, Military Sealift Command, formerly the Military Sea Transportation Service

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 6, 1972.

To Regional Commissioners of Customs and Others Concerned:

On February 26, 1952, the Commander, Military Sea Transportation Service, stipulated that the obligations and duties imposed by bonds required pursuant to any provision of law, regulation, or instruction which the Secretary of the Treasury or this Bureau may be authorized to enforce in connection with the operation of vessels owned by or chartered to the United States, acting by and through the Commander, Military Sea Transportation Service, and operated by or for the account of the United States, acting by and through the Commander, Military Sea Transportation Service, under any form or forms of charter, service agreement, contract, or other arrangement, will be observed and the same responsibilities assumed by the Commander, Military Sea Transportation Service, as fully and to the same extent as if such bonds had been executed and filed. In view of that stipulation, Treasury Decision 52948, dated March 11, 1952, waived such requirements for bonds in connection with the operation of such vessels.

The Commander, Military Sealift Command, by letter dated September 24, 1971, has recommended that the agreement between that agency and the Bureau which is provided for by Treasury Decision 52948 be terminated as soon as possible. Therefore, effective thirty days after publication of this Treasury Decision in the Federal Register, Treasury Decision 52948 is revoked.

(212.6)

Myles J. Ambrose, Commissioner of Customs.

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### Foreign currencies—Quarterly list of rates of exchange

List of rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for use during the quarter beginning January 1 through March 31, 1972

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., January 5, 1972.

The appended table lists the rates of exchange of certain foreign currencies first certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), for a day in the quarter beginning January 1, 1972. The rates are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

# Edwin F. Rains, Acting Commissioner of Customs.

List of values of foreign currencies certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under provisions of section 522(c), Tariff Act of 1930, as amended

### QUARTER BEGINNING JANUARY 1 THROUGH MARCH 31, 1972

Country Country		Dollars
Australia	Dollar	\$1. 1910
Austria	Schilling.	. 0421625
		. 022252
Canada	Dollar	. 9959
Ceylon	Rupee	
Finland		. 242131
France		. 191850
Germany	Deutsche Mark	. 3057
India	Rupee	. 1335
Ireland	Pound	2. 5520
Italy	Lira	
Japan		. 003176
Malaysia	Dollar	. 3460
Mexico	Peso	. 08005
Netherlands	Guilder	. 3071
New Zealand		
Norway	Krone	. 149175
Portugal	Escudo	. 03640
Republic of South Africa		
Spain		. 01515
Sweden	Krona	
Switzerland		
United Kingdom		

### (T. D. 72-21)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 7, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

			Alas Promoved and
Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
American Freightways Co., Inc., 518 Porter Ave., Brooklyn, N.Y., motor carrier; National Surety Corp. PB(1/20/65) D 12/8/71 1	Nov. 23, 1971	Dec. 8, 1971	New York Sea- port; \$25,000
Astee Transportation Co., Inc., 1211 S. 32nd St., San Diego, Calif., motor carrier; Pacific Ins. Co. of Calif.	Nov. 19, 1971	Dec. 3, 1971	San Diego, Calif.; \$25,000
Drucas Moving & Storage Service, Inc., 1029 Twiggs St., Tampa, Fla., motor carrier; The Aetna Casu- alty & Surety Co. D 1130/71	June 1, 1970	June 3, 1970	Tampa, Fla.; \$25,000
J & M Transportation Co., Inc., P.O.B. 488, Milledge- ville, Ga., motor carrier; General Ins. Co. of America	Dec. 1, 1971	Dec. 20, 1971	New Orleans, La.; \$25,000
Harry H. Long Moving & Storage Co., 1001 S. Douglas Court, Appleton, Wis., motor carrier; Fidelity & Deposit Co. of Md. of Baltimore, Md.	Dec. 7, 1971	Dec. 13, 1971	Milwaukee, Wis.; \$25,000
Lynden Transfer, Inc. d/b/a Lynden Transport, Inc., P.O.B. 433, Lynden, Wash., motor earrier; Con- tinental Casualty Co. D 1/9/72	Dec. 18, 1968	Jan. 13, 1969	Seattle, Wash.; \$25,000
P. B. Mutrie Motor Transportation, Inc., Calvary St., Waltham, Mass., motor carrier; Aetna Ins. Co. PB (10/31/67) D 12/8/713	Dec. 8, 1971	Dec. 8, 1971	Boston, Mass.; \$50,000
Orbit Transportation Co., Inc., 219 Stafford St., Worcester, Mass., motor carrier; Aetna Ins. Co.	Nov. 10, 1971	Dec. 13, 1971	Boston, Mass.; \$25,000

See footnotes at end of table.

496-798-74-3

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Philipp Transit Lines, Inc., Washington, Mo., motor carrier; Maryland Casualty Co.	Dec. 8, 1971	Dec. 14, 1971	St. Louis, Mo.; \$25,000
Federal Motor Transportation Co., Inc., 128 Chancery St., New Bedford, Mass., motor carrier; U.S. Fidel- ity & Guaranty Co. D 12/13/71	Oct. 26, 1967	Nov. 9,1967	Boston, Mass.; \$25,000
Flexible Freight Transport, Inc., 421 Hedfield Ave., Elizabeth, N.J., motor earrier; St. Paul Fire & Marine Ins. Co. PB(12/16/70) D 12/14/71	Dec. 14, 1971	Dec. 14, 1971	New York seaport; \$50,000
Florida-Texas Freight, Inc., 777 N.W. 72nd Ave., Miami, Fla., motor carrier; The Home Indemnity Co. of Philadelphia, Pa.	July 12, 1971	Nov. 23, 1971	Miami, Fla.; \$25,000
Gator Freightways Inc., 2175 Commonwealth Ave., Jacksonville, Fla., motor carrier; The Travelers Indemnity Co. D 11/23/71	Sept. 9, 1968	Sept. 16, 1968	Tampa, Fla.; \$25,000
Home Transportation Co., Inc., P.O. Box 6426A, Marietta, Ga., motor carrier; American Casualty Co. of Reading, Pa.	Dec. 1, 1971	Dec. 10, 1971	Savannah, Ga.; \$25,000
Puget Sound Tug & Barge Co., together with its div. known as Alaska Hydrotrain, and Puget Sound Tug & Barge Co.'s wholly owned subsidiaries N. Star Forwarding Co., Caribe Hydro-Trailer, Inc., & Puerto Rico Marine Lines, Inc., P.O.B. 3783, Seat-	Nov. 23, 1971	Nov. 23, 1971	Seattle, Wash.; \$50,000
tie, Wash., water carrier; U.S. Fidelity & Guaranty Co.  PB (9/25/70) D 11/23/71	11-1	i line teritade	have to
Santa Fe Trail Transportation Co., 80 E. Jackson Blvd., Chicago Ill., motor carrier; Ins. Co. of North America	Dec. 2, 1971	Dec. 10, 1971	Chicago, Ill.; \$100,000
Theroux Bros., Inc., 416 Pond St., Woonsocket, R.I., motor carrier; Peerless Ins. Co. D 12/22/71	May 23, 1968	June 10, 1968	Providence, R.I.; \$25,000
Transitoil Corp., 1612 Farnborn St., Crofton, Md., motor carrier; Federal Ins. Co.	Nov. 18, 1971	Nov. 29, 1971	Baltimore, Md.; \$25,000
Wright Motor Lines, Inc., P.O.B. 1191, Cushing, Okla., motor carrier; Ins. Co. of North America D 12/20/71	Oct. 29, 1968	Dec. 17, 1968	Houston, Texas; \$25,000

<sup>&</sup>lt;sup>1</sup> Surety is Continental Casualty Co.

(241.2)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

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<sup>&</sup>lt;sup>3</sup> Surety is The Hanover Ins. Co.

### (T.D. 72-22)

### Foreign currencies—Rates of exchange

Reserve Bank of New York for the French franc, Japanese yen and Republic of South Africa rand

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 5, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 71–259 for the dates and countries indicated. Therefore, as to entries covering merchandise exported on the dates and from the countries listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

French	franc:

December	27,	1971	\$0.191300
December	28,	1971	. 191300
December	29,	1971	. 191300
		1971	
		1971	

#### Japanese ven:

December	27,	1971	\$0.00317500
December	28,	1971	. 00317450
		1971	
		1971	
		1971	

### Republic of South Africa rand:

December 24, 1	971	\$1.301666
December 27, 1	.971	1. 306250
December 28, 1	971	1.301250
December 29, 1	971	1.301250
December 30, 1	971	1.303750
December 31, 1	971	1.303750

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register January 15, 1972 (37 F.R. 680)]

### NOTICE

No decision will be issued as (T.D. 72-23)

## (T.D. 72-24)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 11, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

### Argentine peso:

For the period January 3 through January 7, 1972, rate of \$0.1996.

### Denmark krone:

January 3, 1972	\$0.1418
January 4, 1972	. 14165
January 5, 1972	. 141650
January 6, 1972	. 1415
January 7, 1972	. 1416

### Hong Kong dollar:

For the period November 29 through December 3, 1971, Official rate of \$0.165000 and the following Free rates:

November 29, 1971	\$0.170632*
November 30, 1971	.170595*
December 1, 1971	.170595*
December 2, 1971	.170632*
December 3, 1971	.170668*

### Iran rial:

For the period December 20 through December 24, 1971, rate temporarily suspended.

<sup>\*</sup>Certified as nominal rates

Philippine peso:

For the period December 20 through December 24, 1971, rate temporarily suspended.

Thailand baht (tical):

For the period December 20 through December 24, 1971, rate temporarily suspended.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-25)

Administrative review-Customs Regulations amended

Section 173.4(c), Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 173-ADMINISTRATIVE REVIEW IN GENERAL

The purpose of this amendment is to clarify the exception in the provision in section 173.4(c) (2) relating to the time limits within which an error involving a liquidation or exaction made more than 9 months after the date of entry, or other transaction, must be brought to the attention of a district director of Customs. The amendment substitutes the word "originates" for the word "is" following the word "error" in paragraph (c) (2) to make clear that where an error originates in the Customs liquidation, reliquidation, or exaction, the one-year period provided for in paragraph (c) (1) of section 173.4 applies.

In section 173.4, paragraph (c) (2) is amended to read:

173.4 Correction of clerical error, mistake of fact, or inadvertence.

- (c) Limitation on time for application. A clerical error, mistake of fact, or other inadvertence meeting the requirements of paragraph (b) of this section must be brought to the attention of the district director:
- (2) Within 90 days after liquidation or exaction when the liquidation or exaction is made more than 9 months after the date of entry, or other transaction, except that in cases where the error originates in the liquidation, reliquidation, or exaction, the 1-year limitation provided for in subparagraph (1) of this paragraph shall apply. (Sec. 520, 46 Stat. 739, as amended; 19 U.S.C. 1520.)

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.) This amendment merely clarifies an existing Customs regulation. Therefore, the notice and delayed effective date provisions of 5 U.S.C. 553 are found to be inapplicable.

Effective date: This amendment shall become effective on the date

of its publication in the Federal Register.

(342.6)

Myles J. Ambrose, Commissioner of Customs.

Approved January 5, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register January 19, 1972 (37 F.R. 782)]

# (T.D. 72-26)

Coastwise transportation—Customs Regulations amended

Sections 4.93(b)(1) and 4.93(b)(2), Customs Regulations, amended to add Iceland to the list of countries whose registered vessels are permitted to transport certain articles coastwise

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

On the basis of information obtained and furnished by the Department of State, it is found that the Government of Iceland extends to

vessels of the United States, in ports of Iceland, privileges reciprocal to those provided in section 4.93 of the Customs Regulations. Therefore, vessels of the Government of Iceland are permitted to transport coastwise empty cargo vans, empty lift vans, empty shipping tanks; equipment for use with cargo vans, lift vans, or shipping tanks; empty barges specifically designed for carriage aboard a vessel; empty instruments of international traffic exempted from application of the customs laws by the Secretary of the Treasury pursuant to the provisions of section 322(a), Tariff Act of 1930 (19 U.S.C. 1322(a)); and stevedoring equipment and material under the conditions specified in the applicable proviso to section 27, Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

Accordingly, paragraph (b) (1) of section 4.93, Customs Regulations, is amended by the insertion of "Iceland" in appropriate alphabetical order in the list of countries under that paragraph. Paragraph (b) (2) of section 4.93, Customs Regulations, is also amended by the insertion of "Iceland" in appropriate alphabetical order in the list

of countries under that paragraph.

(80 Stat. 379, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 301, 46

U.S.C. 883)

The finding excepting vessels of Iceland from the prohibition of section 27, 41 Stat. 999, as amended (46 U.S.C. 883) is made in accordance with the requirements of this section and information as to reciprocity furnished by the Secretary of State pursuant thereto. In view of the statutory requirement for an exemption when such reciprocity is found to exist, notice and public procedure under 5 U.S.C. 553 is considered to be unnecessary. Since this finding recognizes an exemption, good cause is found under 5 U.S.C. 553(d)(1) for making it effective on the earliest date possible.

Effective date: This amendment shall become effective on the date

of its publication in the Federal Register.

(216.131)

LEONARD LEHMAN, Acting Commissioner of Customs.

Approved January 7, 1972: EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register January 20, 1972 (37 F.R. 865)]

## (T.D. 72-27)

## Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in Portugal

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., January 18, 1972.

There is published below the directive of December 21, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Portugal.

This directive was published in the Federal Register on December 28, 1971 (36 F.R. 25072), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 21, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 17, 1970, between the Governments of the United States and Portugal, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972, and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1/2/3/4, 5/6, 9, 22, 24/25, 26, 41/42/43, 46, 50, 51, 52,

53 and parts of 62, 55, 60, and parts of 62 produced or manufactured in Portugal, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint
1/2/3/4	16,880,212 lbs
5/6	11,387,714 syds (of which not more than 6,377,761 syds may
	be in Category 6)
ove, will be made by you by ed	13,370,569 syds
22 drime/ where/P guryans	2,005,586 syds
24/25	7,353,814 syds (of which not
gories in terms of T.S. U.S.A. hu	more than 2,674,114 syds may
	be in Category 25)
26	3,208,937 syds
41/42/43	120,335 doz
46 mine and spins abulant of	53.483 doz
50	30,753 doz
51 and Correctional and Continue of the	30,753 doz
52 galdred reday for our res	45,460 doz
53 and parts of 62 (T.S.	45,460 doz
U.S.A. Nos. 382.0012, 382	tile Advisory Committee to involv
0014, 382.0635 and 382 0640)	United States, Thornton, the directions, being recovery to
55 d low to his word and on march	36,750 doz
60 Make man large de mile	26,250 doz
Parts of 62 (T.S.U.S.A. Nos. 380.0024, 380.0645, 382.0024 and 382.0665)	74,340 lbs
OULIVORT WILL OULIVOUD	

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in Portugal, which have been exported to the United States from Portugal prior to January 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period January 1, 1971 through December 31, 1971. In the event that the above levels of restraint have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

In carrying out this directive, entries of two or three piece ladies suits produced or manufactured in Portugal from woven or knit cotton fabrics should not be charged against any of the levels of restraint designated herein, including the level of restraint for blouses in Category 52.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 17, 1970, between the Governments of the United States and Portugal which provide, in part, that within the aggregate limit and group limits, the limitations on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption

into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textiles and cotton textile products from Portugal have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-28)

Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in the Republic of the Philippines

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 18, 1972.

There is published below the directive of December 13, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products, in certain categories, manufactured or produced in the Republic of the Philippines.

This directive was published in the Federal Register on December 18, 1971 (36 F.R. 24097), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 13, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of September 21, 1967, as amended and extended, between the Governments of the United States and the Republic of the Philippines, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972 and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9, 22, 26, 32, 39, 42, 43, 45, 46, 50, 51, 60, 61, and part of 63 produced or manufactured in the Philippines, in excess of the following levels of restraint:

Category	Twelve-Month Level of Restraint
9	1,519,383 sq. yds.
22	1,823,260 sq. yds.
26	1,519,383 sq. yds. (of which not more than 364,652 sq. yds. may
	be in duck fabric 1)

1 Only T.S.U.S	.A. Nos. :									
320.—01	through	04,	06,	08		32601	through	04,	06,	08
32101	through	04,	06,	08	VIII.	32701	through	04,	06,	08
322.—01	through	04,	06,	08		32801	through	04,	06,	08

Category	Twelve-Month Level of Restraint
32	3,646,519 dozen
39	334,264 dozen pairs
42	36,465 dozen
43	72,931 dozen
45	00 104 1
46	12,155 dozen
50	12,155 dozen
51	12,155 dozen
Sower P. Januar 00	10,332 dozen
61	1,884,035 dozen
Part of 63 (T.S.U.S.A. Nos. 380.3980 and 382.3380 only)	145,005 pounds

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in the Philippines, which have been exported to the United States from the Philippines prior to January 1, 1972, shall, to the extent of any unfilled balances be charged against the levels of restraint established for such goods for the twelve-month period beginning January 1, 1971, and extending through December 31, 1971. In the event that the levels of restraint for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 21, 1970, as amended and extended, between the Governments of the United States and the Republic of the Philippines which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of the Philippines and with respect to imports of cotton textiles and cotton textile products from the Philippines have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-29)

Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in Yugoslavia

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 18, 1972.

There is published below the directive of December 13, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products, in certain categories, manufactured or produced in Yugoslavia.

This directive was published in the Federal Register on December 18, 1971 (36 F.R. 24098), by the Interagency Textile Administrative Committee.

(343.3)

Edwin F. Rains,

Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20280

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 13, 1971.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 31, 1970 between the Governments of the United States and the Socialist Federal Republic of Yugoslavia, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972, and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 9, 18/19, 22, 26 (duck fabric), 26 (other than duck fabric), 48, and 49, produced or manufactured in Yugoslavia in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Level of Restraint
9	10,500,000 sq. yds.
18/19	525,000 sq. yds.
22	4,200,000 sq. yds.
26 (duck fabric 1)	2,100,000 sq. yds.
26 (other than duck fabric)	2,625,000 sq. yds.
48	14,700 dozen
49	29,085 dozen

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 9, 18/19, 22, 26 (duck fabric), 26 (other than duck fabric), 48, and 49, produced or manufactured in Yugoslavia and which have been exported to the United States from Yugoslavia prior to January 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period January 1, 1971, through December 31, 1971. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 31, 1970, between the Governments of the United States and the Socialist Federal Republic of Yugoslavia which provides in part that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement

 <sup>1</sup> The T.S.U.S.A. Nos. for duck fabric are:
 320.—01 through 04, 06, 08
 326.—01 through 04, 06, 08

 321.—01 through 04, 06, 08
 327.—01 through 04, 06, 08

 322.—01 through 04, 06, 08
 328.—01 through 04, 06, 08

year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36

F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Socialist Federal Republic of Yugoslavia and with respect to imports of cotton textiles and cotton textile products from Yugoslavia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-30)

International airports of entry

Revocation of Put-in-Bay Airport as an international airport—Section 6.13, Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 6-AIR COMMERCE REGULATIONS

Notice of the proposed revocation of Put-in-Bay Airport at Put-in-Bay, Ohio, as an international airport was published in the Federal Register on October 8, 1971 (36 F.R. 19598), and the submission of written data, views and comments was invited. No objections to the

proposal were received.

Therefore, under the authority of section 1109(b) of the Federal Aviation Act of 1958 as amended (49 U.S.C. 1509(b)), the designation of Put-in-Bay Airport as an international airport (airport of entry) for civil aircraft and for merchandise carried thereon arriving from places outside the United States is hereby revoked effective 30 days after publication of this decision in the Federal Register.

The list of international airports in section 6.13 of the Customs Regulations is amended by deleting from the columns headed "Location" and "Name" Put-in-Bay, Ohio, and Put-in-Bay Airport respectively. (80 Stat. 379, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 1624.)

(192-41.31)

Edwin F. Rains, Acting Commissioner of Customs.

Approved January 4, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register January 25, 1972 (37 F.R. 1104)]

## (T.D. 72-31)

# Customs Delegation Order No. 43

Delegation to regional commissioners of Customs of authority to settle certain claims arising under the Federal Tort Claims Act (28 U.S.C. 2672)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 20, 1972.

By virtue of the authority vested in me by Treasury Department Order No. 145, Revision 3 (32 F.R. 3066), I hereby delegate to the regional commissioners of Customs the authority to consider, ascertain, adjust, determine, settle and pay claims not in excess of \$250 arising under 28 U.S.C. 2672 by reason of the negligent or wrongful act or omission of any employee of the Bureau of Customs.

I also delegate to the regional commissioners of Customs the authority to consider, ascertain, adjust, determine, settle and pay claims not in excess of \$500 arising under 28 U.S.C. 2672 for loss to property caused by the negligent or wrongful act or omission of any employee

of the Bureau of Customs in the operation of a motor vehicle owned or leased by the Bureau of Customs.

This order supersedes Customs Delegation Order No. 25, dated July 29, 1966 (T.D. 66-158, 31 F.R. 10540).

(121.4)

Edwin F. Rains,

Acting Commissioner of Customs.

[Published in the Federal Register January 27, 1972 (37 F.R. 1253)]

(T.D. 72–32)

#### Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 20, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
Air Canada, Place Ville Marie, Montreal 113, Canada; Continental Ins. Co. PB(12/21/64) D 1/1/72 <sup>1</sup>	Nov. 7, 1971	Jan. 1, 1972	Boston, Mass.; \$100,000

Surety is U.S. Fidelity & Guaranty Co.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

EDWIN F. RAINS,
Acting Commissioner of Customs.

498-798-74-4

## (T.D. 72-33)

## Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 30, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories, manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on January 6, 1972 (37 F.R. 160), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 30, 1971.

Commissioner of Customs, Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972, and for the nine-month period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 7, 9/10, 18/19/26 (print cloth only), 22/23, 26 (duck fabric), 27/26 (other than duck fabric

and print cloth), 31, 34/35, 38, 39, 45, 46/47, 48, 49, 50, 51, 52, 53, 54, 55, 60, 63, and parts of 64 (tablecloths, napkins, and zipper tapes only), produced or manufactured in the Republic of Korea in excess of the following nine-month levels of restraint:

migod boling iltmm-relieve	Nine-Month Level
Category	of Restraint
79 hornog almom avlaya mi	550,397 sq. yds.
9/10	3,329,900 sq. yds.
18/19/26 (print	0.110.075
cloth only 1)	2,118,675 sq. yds.
22/23	1,458,553 sq. yds.
26 (duck fabric 2)	12,108,722 sq. yds.
27/26 (other than duck fabric and	
print cloth)	1,596,502 sq. yds.
31	1,046,855 pieces
34/35	191,183 pieces
38	142,444 pounds
39	120,434 dozen pairs
45	33,025 dozen
46/47	1,227,618 sq. yds.
48	10,484 dozen
49	27,520 dozen
50	46,235 dozen
51	62,746 dozen
52	33,025 dozen
53	10,484 dozen
54	49,536 dozen
55	10,484 dozen
60	28,622 dozen
63	92,342 pounds
64 (only T.S	ozjorz Poulius
U.S.A. Nos.:	
366.4500, 366	
4600, and 366	7938130
4700)	503,063 pounds
64 (only T.S	
U.S.A. No. 347	
3340)	61,644 pounds
amon handne galant	
	nt cloth are:
34 322.—34 -34 326.—34	327.—34 328.—34

<sup>1</sup> In Ca 320.-

<sup>321. -34</sup> The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.-01</sup> through 04, 06, 08 321 .- 01 through 04, 06, 08

<sup>322 .- 01</sup> through 04, 06, 08

<sup>328. - 34</sup> 

<sup>326.</sup>\_\_01 through 04, 06, 08 327.-01 through 04, 06, 08 328 ..... 01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories produced or manufactured in the Republic of Korea, which have been exported to the United States from the Republic of Korea prior to January 1, 1972, shall, to the extent of any unfilled balances be charged against the level of restraint established for such goods for the twelve-month period beginning January 1, 1971, and extending through December 31, 1971. In the event that the level of restraint for the twelve-month period ending December 31, 1971 has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 30, 1971, between the Governments of the United States and the Republic of Korea which provide, in part, that within the aggregate limit, the limits of certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

ROBERT A. PODESTA, Acting Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

## (T.D. 72-34)

## Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 30, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products, in certain categories, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on January 6, 1972 (37 F.R. 161), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 30, 1971.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of China, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972, and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 5/6, 9/10, 15/16, 18/19, 20/21, 22/23, 24/25, 26/27, 28/29, 30, 32, 34/35, 41/42, 43 and part of 62 (other knit shirts and blouses), 44, 45, 46/47, 50, 51, 52, 53, 54, 57, 59, 60, part of 62 (other knit wearing apparel), 63, and 64, produced or manufac-

tured in in the Republic of China in excess of the following twelvemonth levels of restraint:

	Category	Twelve-Month Level of Restraint
	5/6	2, 525, 599 syds.
	9/10	29, 662, 235 syds.
	15/16	1, 380, 593 syds.
	18/19	1, 606, 913 syds.
	20/21	1, 047, 144 syds.
	22/23	3, 187, 102 syds.
	24/25	3, 109, 369 syds.
	26/27	5, 244, 961 syds. (of
		which not more
		than 3,109,369
		syds. may be in
		duck fabric 1)
	28/29	1, 939, 934 pieces
	30	2, 571, 060 pieces
	32	383, 228 doz.
	34/35	289, 383 pieces
	41/42	133, 180 doz.
	43 and part of 62	97, 984 doz.
	(only T.S.U.S.A. Nos. 382.0002, 382.0605 and 382. 0610)	
	44	25, 711 doz.
	45	15, 428 doz.
	46/47	10, 382, 711 syds.
-	50	209, 133 doz.
	51	335, 951 doz.
	52	214, 255 doz.
	53	17, 139 doz.
	54	35, 996 doz.
	57	171, 404 doz.
	59	42, 851 doz.
	60	32, 395 doz.
	Part of 62 (all	40, 268 lbs.
	T.S.U.S.A. Nos. except those in- cluded in part of 62 combined in 43)	
	63	214, 255 lbs.
	64	202, 732 lbs.
o Ph	the gift of the state of the gift of	
10 I.	S.U.S.A. Nos. for duck fabric are:	the state of the s

<sup>&</sup>lt;sup>1</sup> The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08

<sup>322.—01</sup> through 04, 06, 08

<sup>326.—01</sup> through 04, 06, 08 327.—01 through 04, 06, 08 328.—01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories produced or manufactured in the Republic of China, which have been exported to the United States from the Republic of China prior to January 1, 1972, shall, to the extent of any unfilled balances be charged against the level of restraint established for such goods for the twelve-month period beginning January 1, 1971, and extending through December 31, 1971. In the event that the level of restraint for the twelve-month period ending December 31, 1971, has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 30, 1971, between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption

into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

ROBERT A. PODESTA,
Acting Secretary of Commerce
Chairman, President's Cabinet
Textile Advisory Committee

## Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textile products manufactured or produced in Haiti

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 9, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of certain cotton textile products manufactured or produced in Haiti. This directive cancels and supersedes the directives of April 2 and August 24, 1971 (T.D.'s 71–113 and 71–239), respectively.

This directive was published in the Federal Register on December 16, 1971 (36 F.R. 23967), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 9, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive cancels and supersedes the directives issued to you on the following dates by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textile products in the following categories produced or manufactured in Haiti:

Date of P.C.T.A.C.	
Directive	Category
April 2, 1971	62
August 24, 1971	54
August 24, 1971	39

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962,

pursuant to the bilateral cotton textile agreement of November 3, 1971, between the Governments of the United States and Haiti, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning October 1, 1971, and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 39, 53, and 54, produced or manufactured in Haiti, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint 1
39	200,000 dozen pair
53	18,764 dozen
54	30,000 dozen

Cotton textile products in Categories 39, 53, and 54 produced or manufactured in Haiti and which have been exported prior to October 1, 1971, shall not be subject to this directive.

Cotton textile products in Categories 39, 53, and 54 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive

shall not be denied entry under this directive.

The levels of restraint set forth above a

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 3, 1971, between the Governments of the United States and Haiti which provide, in part, that within the aggregate limit, the limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Haiti and with respect to imports of cotton textiles and cotton textile products from Haiti have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United

<sup>&</sup>lt;sup>1</sup>These levels have not been adjusted to reflect any entries made on or after October 1, 1971.

States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-36)

Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in Socialist Republic of Romania

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 13, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products, in certain categories, manufactured or produced in the Socialist Republic of Romania.

This directive was published in the Federal Register on December 18, 1971 (36 F.R. 24098), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 13, 1971.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9,

1962, pursuant to the bilateral cotton textile agreement of December 31, 1970, between the Governments of the United States and the Socialist Republic of Romania, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1972 and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 19, 26, 47, 49, 55, 60, and 63 produced or manufactured in Romania, in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Level of Restraint		
19	1,155,000 sq. yds.		
26	2,310,000 sq. yds. (of which not more than 525,000 sq. yds. may be in duck fabric 1)		
47	42,594 dozen		
49	22,615 dozen		
55	14,411 dozen		
60	20,208 dozen		
63	365,217 pounds		

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 19, 26, 47, 49, 55, 60, and 63, produced or manufactured in Romania, which have been exported to the United States from Romania prior to January 1, 1972, shall, to the extent of any unfilled balances be charged against the levels of restraint established for such goods for the twelve-month period beginning January 1, 1971, and extending through December 31, 1971. In the event that the levels of restraint for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 31, 1970, between the Governments of the United States and the Socialist Republic of Romania which provide in part that within the aggregate limit, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bi-

<sup>1</sup> The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.-01</sup> through 04, 06, 08

<sup>321 .- 01</sup> through 04, 06, 08

<sup>322 .- 01</sup> through 04, 06, 08

<sup>326 .- 01</sup> through 04, 06, 08

<sup>327.—01</sup> through 04, 06, 08 328.—01 through 04, 06, 08

lateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Socialist Republic of Romania and with respect to imports of cotton textiles and cotton textile products from Romania have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-37)

Cotton textiles—Restriction on entry

Restriction on cotton textiles in category 9 manufactured or produced in El Salvador

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 14, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles, in category 9, manufactured or produced in El Salvador.

This directive was published in the Federal Register on December 28, 1971 (36 F.R. 25072), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 17, 1971.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning October 29, 1971, and extending through October 28, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles in Category 9, produced or manufactured in El Salvador, in excess of a level of restraint of 901,986 square vards.

In carrying out this directive, entries of cotton textiles in Category 9, produced or manufactured in El Salvador and which have been exported to the United States from El Salvador prior to October 29, 1971, shall not be subject to this directive.

Cotton textiles in Category 9, produced or manufactured in El Salvador, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 9, in terms of T.S.U.S.A. numbers, was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of El Salvador and with respect to imports of cotton textiles from El Salvador have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign

<sup>1</sup> This level has not been adjusted to reflect any entries made on or after October 29, 1971.

affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-38)

Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in Peru

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

There is published below the directive of December 9, 1971, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Peru.

This directive was published in the Federal Register on December 16, 1971 (36 F.R. 23968), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

December 9, 1971.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive cancels and supersedes the directive issued to you on July 23, 1971 by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textile products in Category 22 produced or manufactured in Peru.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 23, 1971, between the Governments of the United States and Peru, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning October 1, 1971, and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 22, 56, 57, 58, and 60, produced or manufactured in Peru in excess of the following levels of restraint:

Category	Tw	elve-Month Levels of Restraint 1
22	1,750,00	0 square yards
56		48,913 dozen
57		40,000 dozen
58	* , 1	90,000 dozen
60	(17), 12-17)	14,434 dozen

Cotton textile products in Categories 22, 56, 57, 58, and 60 produced or manufactured in Peru and which have been exported prior to October 1, 1971, shall not be subject to this directive.

Cotton textile products in Categories 22, 56, 57, 58, and 60 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 23, 1971, between the Governments of the United States and Peru which provide, in part, that within the aggregate limit, the limits of certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States

<sup>&</sup>lt;sup>1</sup>These levels have not been adjusted to reflect any entries made on or after October 1, 1971.

for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Peru and with respect to imports of cotton textiles and cotton textile products from Peru have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T.D. 72-39)

#### Bonds

Discontinuance of consolidated aircraft bond (air carrier blanket bond) Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

The following consolidated aircraft bond has been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow.

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
East African Airways Corp., (A Kenya Corp.), 576 Fifth Ave., New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 12/30/71	Jan. 5, 1971	Jan. 6, 1971	New York Seaport; \$100,000

(232.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings. (T.D. 72-40)

### Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
Icelandic Airlines, Inc. (A New York Corp.), 630 Fifth Ave., New York, N.Y.; St. Paul Fire & Marine Ins. Co. PB(11/21/68) D 12/31/71	Dec. 30, 1971	Jan. 3, 1972	New York Seaport; \$100,000

Principal is Loftleider-Icelandic Airlines Inc. (A N.Y. Corp.). Surety is The Travelers Indemnity Co.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

LEONARD LEHMAN,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-41)

Treasury Department Order No. 165-19, Amendment 1

Changes in titles and changes in designation of certain divisions in the Bureau of Customs

DEPARTMENT OF THE TREASURY, Washington, D.C., January 20, 1972.

By virtue of the authority vested in the Secretary of the Treasury, and pursuant to authorization given to me by Treasury Department Order No. 190, Revision 7 (34 F.R. 15846), the designations of divisions within the Office of Regulations and Rulings and the titles of the Directors of those divisions shall be as follows:

The Division of Classification and Value, under the direct supervision of the Director, Division of Classification and Value.

The Division of Entry Procedures and Penalties, under the direct supervision of the Director, Division of Entry Procedures and Penalties.

The Division of Carriers, Drawback and Bonds, under the direct supervision of the Director, Division of Carriers, Drawback and Bonds.

The Division of Regulations, under the direct supervision of the Director, Division of Regulations.

Treasury Department Order No. 165-19 dated December 29, 1965, is hereby amended to the extent that it is inconsistent with the foregoing.

This order shall be effective on January 31, 1972.

(ORR-L)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register January 29, 1972 (37 F.R. 1496)]

# (T.D. 72-42)

Customs Delegation Order No. 1 (Revision 1)-Amended

Performance of functions in the Bureau of Customs

DEFARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 24, 1972.

- 1. By virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 F.R. 7241), as amended, Customs Delegation Order No. 1 (Revision 1) (T.D. 69–126, 34 F.R. 8208) is hereby amended as follows:
- A. Paragraph 1-A is amended by striking "Division of Tariff Classification Rulings" and substituting "Division of Classification and Value" wherever it appears.
- B. Subparagraph 1.A.(a) (1) is amended by striking the comma following "the Trade Fair Act of 1959" and substituting "; legal as-

pects of valuation, dumping and countervailing duty determinations and procedures;"

C. Subparagraph 1.A.(b)(1) is amended by striking the words "or valuation".

This order shall become effective on January 31, 1972.
 (ORR-L)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register January 29, 1972 (37 F.R. 1496)]

## (T.D. 72-43)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 25, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

### Argentine peso:

For the period January 10 through January 21, 1972, rate of \$0.1996.

### Denmark krone:

January	10,	1972	\$0.1416
January	11,	1972	. 141750
January	12,	1972	. 1417
January	13,	1972	. 1418
January	14,	1972	. 1420
January	17,	1972	. 1425
January	18,	1972	. 142225
January	19,	1972	. 142375
January	20,	1972	. 1424
January	21.	1972	. 1426

Hong	Kong	doll	ar
TIOUS	TYOHY	UOI.	al.

For the period December 6 through December 17, 1971, Official rate of \$0.165000 and the following Free rates:

Official rate of \$0.100000 and the re	onowing 1.100	Ą
December 6, 1971	No rate	
December 7, 1971	\$0.171182*	
December 8, 1971	. 171256*	
December 9, 1971	. 171699*	
December 10, 1971	. 171996*	
December 13, 1971		
December 14, 1971		
December 15, 1971	. 172443*	
December 16, 1971	.172481*	
December 17, 1971	.172518*	

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#### Iran rial:

For the period December 27 through December 31, 1971, rate temporarily suspended.

January 3, 1972	\$0.0131
January 4, 1972	. 0131
January 5, 1972	. 0130
January 6, 1972	. 0130
January 7, 1972	. 0131

# Philippine peso:

For the period December 27 through December 31, 1971, rate temporarily suspended.

January 3, 1972	\$0. 1550
January 4, 1972	.1558
January 5, 1972	.1535
January 6, 1972	.1550
January 7, 1972	.1540

### Thailand baht (tical):

For the period December 27 through December 31, 1971, rate temporarily suspended.

January	3,	1972	\$0.0477
January	4,	1972	. 0480
January	5,	1972	. 0478
		1972	. 0476
January	7,	1972	. 0478

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

<sup>\*</sup>Certified as nominal rates.

## (T.D. 72-44)

# Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 21, 1972.

The following are synopses of drawback rates and amendments issued November 22, 1971, to January 7, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(A) Aluminum products.—T.D. 56239-C, as amended by T.D.'s 56365-A, 67-66-B, and 68-163-A, covering, among other things, aluminum and aluminum alloy sheet, coil, structurals, siding and awnings manufactured under section 1313(b) by the Alcan Aluminum Corp., Cleveland, Ohio, at the company's South Kearney, N.J., factory with the use of aluminum and aluminum reroll stock coils, further amended to cover such articles manufactured at its additional factory located at Woodbridge, N.J.

Amendment effective on articles manufactured and exported on and

after May 11, 1970.

Manufacturer's statement of October 12, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., December 1, 1971.

(B) Daconil 2787, finished.—T.D. 71-97-A, covering Daconil 2787 manufactured under section 1313(a) by Helena Chemical Co., Memphis, Tenn., at its W. Helena, Ark., factory with the use of imported or drawback semi-finished Daconil 2787, amended to cover finished Daconil 2787 (tetrachloroisophthalonitrile) manufactured under section 1313(b) by the company at its W. Helena, Ark., factory with the use of Technical Daconil 2787 (tetrachloroisophthalonitrile).

Amendment effective on articles manufactured on and after February 4, 1970, and exported on and after February 11, 1970.

Manufacturer's supplemental statement of July 27, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., December 20, 1971.

(C) Daconil 2787, finished.—T.D. 68-23-D, covering Daconil powder manufactured under section 1313(a) by Central Chemical Corp., Hagerstown, Md., at its factories located at Hagerstown and Elkton, Md., with the use of Daconil, amended to cover finished Daconil 2787

(tetrachloroisophthalonitrile) manufactured by the said company at its factories located at Hagerstown and Elkton, Md., and Sandune, Tex., with the use of Technical Daconil 2787 (tetrachloroisophthalonitrile)

Amendment effective on articles manufactured on and after February 4, 1970, at the Hagerstown and Elkton, Md., factories and exported on and after February 11, 1970, and on articles manufactured at the Sandune, Tex., factory and exported on and after June 1, 1970.

Manufacturer's supplemental statement of July 16, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., December 20,

1971.

(D) Devices, semiconductor, complete (discrete devices and integrated circuits).—Manufactured under section 1313(b) by Motorola Inc., Phoenix, Ariz., with the use of incomplete semiconductor devices (discrete devices and integrated circuits).

Rate effective on articles manufactured on and after December 1,

1967, and exported on and after January 1, 1968.

Manufacturer's statements of July 14, 1971, and November 5, 1971, forwarded to Regional Commissioners of Customs, Los Angeles, Calif., and Chicago, Ill., December 22, 1971.

(E) Drug products, poultry.—Manufactured under section 1313(b) by Vineland Laboratories Inc., Vineland, N.J., with the use of sulfaquinoxaline, sulfamethazine, sulfathiazole, thiamine, vitamin A, streptomycin sulfate, dihydrostreptomycin, chlortetracycline hydrochloride, vitamin B12, vitamin D2, vitamin D3, and vitamin E.

Rate effective on articles manufactured on and after April 1, 1970,

and exported on and after July 7, 1970.

Manufacturer's statements of March 25, 1971, and September 20, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., November 22, 1971.

(F) Marshmallows.—Manufactured under section 1313(b) by Doumak Inc., Elk Grove, Ill., with the use of hard refined sugar.

Rate effective on articles manufactured on and after December 10,

1969, and exported on and after January 5, 1970.

Manufacturer's statements of June 18, 1971, and December 15, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., January 5, 1972.

(G) Parts, automobile, fabricated metal.—T.D. 70-66-I, covering fabricated metal automobile parts manufactured under section 1313(b) by Modern Tool & Die Co., Cleveland, Ohio, at its factories located at Strongsville, Parma, and Willard, Ohio, with the use of hot rolled, pickled and oiled; cold rolled; and galvanized coil or sheet steel, amended to cover (1) a change in name of the manufacturer to MTD

Products Inc., Cleveland, Ohio, and (2) to change the basis of claims for drawback from an abstract to schedule basis.

Amendment effective on articles covered by (1) above, which are exported on and after January 10, 1970, and on the articles covered by (2) above, which are manufactured and exported on and after June 30, 1971.

Supplemental statement of June 30, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., December 8, 1971.

(H) Sauce, cranberry, and cranberry puree.—T.D. 45330–B, as amended by T.D.'s 45857–C, 54395–C, 55404–C, and 70–189–0, covering cranberry sauce, cranberry juice cocktail and cranberry orange relish manufactured under section 1313(b) by Ocean Spray Cranberries, Inc., Hanson, Mass., at its factories located at Hanson and Onset, Mass.; Bordentown, N.J.; North Chicago, Ill.; Coquille, Oreg.; and Markham, Wash., with the use of liquid sugar and liquid invert refined sugar, further amended to cover cranberry sauce manufactured under section 1313(b) by the said company at its Bordentown, N.J., factory and cranberry puree manufactured under section 1313(b) by the company at its Onset, Mass., factory with the use of fresh or frozen cranberries.

Amendment effective on articles manufactured on and after August 15, 1971, and exported on and after August 24, 1971.

Supplemental statement of December 15, 1971, forwarded to Regional Commissioner of Customs, Boston, Mass., January 7, 1972.

(I) Shafts, automotive transmissions; unfinished and finished automotive transmission extension housings.—Manufactured under section 1313(b) by Borg Warner Corp., Warner Gear Div., Muncie, Ind., with the use of automotive transmission shafts and unfinished and finished automotive transmission extension housings.

Rate effective on articles manufactured and exported on and after March 31, 1971.

Manufacturer's statement of March 31, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., December 29, 1971.

(J) Sheets, cut-to-size flat; lithographed flat sheets; cans; and can ends.—Cut-to-size flat sheets manufactured under section 1313(b) by National Can Corp., Chicago, Ill., at its various factories with the use of electrolytic tinplate, black plate, and tin free steel in coils, and lithographed flat sheets, cans, and can ends manufactured under section 1313(b) by the said company at its various factories with the use of electrolytic tinplate, black plate, and tin free steel in cut-to-size flat sheets or in coils.

Rate effective on articles manufactured and exported on and after October 1, 1970.

Manufacturer's statements of June 11, 1971, and October 14, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., November 30, 1971.

(K) Steel plate and sheet, chrome coated.—T.D. 52325-L, as amended by T.D.'s 53221-G, 66-12-M, and 68-87, covering, among other things, tin plate manufactured under section 1313(b) by National Steel Corp., Pittsburgh, Pa., at its Weirton, West Va., Steubenville, Ohio, and Portage, Ind., factories, with the use of carbon steel in bands or coils, are hereby further amended to cover chrome coated steel plate and sheet manufactured under section 1313(b), by the corporation at the stated factories with the use of carbon steel in bands or coils.

Amendment effective on articles manufactured and exported on and after February 1, 1970.

Supplemental statement of October 8, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., December 8, 1971.

(L) Syrups, fountain; still and carbonated beverages.—T.D. 60–111-T, covering fountain syrups manufactured under section 1313(b) by Arrowhead Syrup Sales, Inc., Cerritos, Calif., with the use of invert liquid refined sugar, amended to cover still and carbonated beverages, an additional product, manufactured under section 1313(b) by the said company with the use of invert liquid refined sugar.

Amendment effective on articles manufactured on and after May 1,

1970, and exported on and after May 22, 1970.

Supplemental statement of July 23, 1971, forwarded to Regional Commissioners of Customs, San Francisco, and Los Angeles, Calif., December 3, 1971.

# (T.D. 72-45)

Importation of motor vehicles and motor vehicle engines— Customs Regulations amended

Section 12.73, Customs Regulations, amended to prescribe regulations for the entry of motor vehicles and motor vehicle engines under the Clean Air Act

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 12-SPECIAL CLASSES OF MERCHANDISE

Under the provisions of Title II of the Clean Air Act, as amended by the Clean Air Amendments of 1970 (42 U.S.C. 1857f-1, as amended

by Public Law 91-604), the Department of Health, Education, and Welfare and the Environmental Protection Agency have promulgated regulations in 40 CFR Part 85 which prescribe standards for the control of emissions from certain motor vehicles and motor vehicle engines.

The importation into the United States of any motor vehicle or engine manufactured after the effective date of any standard which is applicable to such vehicle or engine (or which would have been applicable to such vehicle or engine had it been manufactured for importation into the United States) is prohibited by Public Law 91–604 unless the motor vehicle or engine is covered by a certificate of conformity with such applicable standard or is exempted by the Administrator of the Environmental Protection Agency. The regulations which deal with the admission and refusal of motor vehicles and engines subject to standards promulgated under the provisions of the Clean Air Act which are offered for importation into the customs territory of the United States, are amended as follows:

# ENTRY OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES UNDER THE CLEAN AIR ACT, AS AMENDED

§ 12.73 Federal motor vehicle air pollution control.—(a) Standards prescribed by the Department of Health, Education, and Welfare or the Environmental Protection Agency. Certain new motor vehicles and new motor vehicle engines are subject to emission standards prescribed by the U.S. Environmental Protection Agency or the Department of Health, Education, and Welfare under section 202 of the Clean Air Act, as amended (42 U.S.C. 1857f-1, Sec. 6, Public Law 91-604), as set forth in regulations in 40 CFR Part 85. For purposes of this section, "motor vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway, and "new motor vehicle" and "new motor vehicle engine" mean a motor vehicle or engine, respectively, manufactured after the effective date of a regulation issued under section 202 of the Act which is applicable to such vehicle or engine (or would have been applicable to such vehicle or engine had it been manufactured for importation into the United States).

(b) Requirements for entry and release.—Each motor vehicle or motor vehicle engine offered for importation or imported into the customs territory of the United States shall be refused entry unless there is filed with the entry, in duplicate, a declaration verified by the importer or consignee which contains:

(1) The name and address of the importer and the consignee;

(2) The make, model, and model year of the vehicle or engine;
(3) The vehicle identification number of such vehicle, or the serial

number of such engine (if not chassis mounted);

(4) The date of entry, the vessel or carrier of importation, the port or point of entry, and the entry number (where applicable);

(5) A statement that-

 (i) Such 1968, 1969, or 1970 model year motor vehicle or motor vehicle engine is covered by a certificate of conformity with Federal motor vehicle emission standards; or

(ii) Such 1971 or subsequent model year motor vehicle or motor vehicle engine is covered by a certificate of conformity with Federal motor vehicle emission standards and is tagged or labeled in accordance with applicable regulations in 40 CFR Part 85; or

(iii) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, is being imported solely for purposes of display and will not be sold or operated on the public streets or highways; or

- (iv) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, and the importer or consignee is a member of the armed forces of a foreign country on assignment in the United States, or is a member of the Secretariat of a public international organization so designated pursuant to 59 Stat. 669 (22 U.S.C. 288 (b)) on assignment in the United States or is a member of the personnel of a foreign government on assignment in the United States who comes within the class of persons for whom free entry of motor vehicles has been authorized by the Department of State, and that such vehicle or engine will not be sold in the United States; or
- (v) The importer or consignee is a nonresident of the United States importing such motor vehicle or motor vehicle engine solely for personal use for a period not exceeding one year, and such vehicle or engine will not be sold in the United States; or
- (vi) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, is being imported solely for purposes of testing, and will not be sold or operated on the public streets or highways except in accordance with 40 CFR 85.201, or
- (vii) Such motor vehicle or motor vehicle engine is intended solely for export; or
- (viii) Such motor vehicle or motor vehicle engine is not subject to the Clean Air Act or regulations thereunder for reasons specified in the declaration; or
- (ix) Such motor vehicle or motor vehicle engine is one of a class of vehicles or engines for which an application for certification of conformity is pending before the Administrator of the U.S. Environmental Protection Agency and is being imported under bond in accordance with 40 CFR 85.202 pending issuance of such certification;

(x) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards but will be brought into conformity with such standards and is being imported under bond in accordance with 40 CFR 85.203; or

(xi) Neither the importer nor the consignee possess sufficient information to make any of the preceding declarations but the importer or consignee will seek to determine such information, and such motor vehicle or motor vehicle engine is being imported under bond

in accordance with 40 CFR 85.204.

- (c) Release under bond.—If a declaration filed in accordance with paragraph (b) of this section states that the entry is being made under circumstances described in paragraph (b)(5)(ix), (x), or (xi) of this section, the entry shall be accepted only if the importer or consignee gives a bond on Customs Form 7551, 7553, or 7595 for the production of a declaration that the vehicle is in conformity with Federal emission standards or, in the case of an entry made under circumstances described in paragraph (b)(5)(ix) of this section, for the production of an appropriate declaration under paragraph (b) (5) (i) through (x) of this section. The bond shall be in the amount required under § 25.4(a) of this chapter. Within 90 days after such entry, or such additional period as the district director of customs may allow for good cause shown, the importer or consignee shall deliver to the district director the prescribed declaration. If the declaration is not delivered to the district director of customs for the port of entry of such vehicles or engines within 90 days of the date of entry or such additional period as may be allowed by the district director, for good cause shown, the importer or consignee shall deliver or cause to be delivered to the district director of customs those motor vehicles or motor vehicle engines which were released in accordance with this paragraph. In the event that any such motor vehicle or motor vehicle engine is not redelivered within 5 days following the date specified in the preceding sentence, liquidated damages shall be assessed in the full amount of a bond given on Form 7551. When the transaction has been charged against a bond given on Form 7553, or 7595, liquidated damages shall be assessed in the amount that would have been demanded under the preceding sentence if the merchandise had been released under a bond given on Form 7551.
  - (d) Merchandise refused entry.—If a motor vehicle or motor vehicle engine is denied entry under the provisions of paragraph (b) of this section, the district director of customs shall refuse to release the merchandise for entry into the United States and shall give notice of such refusal to the importer.

(e) Disposition of merchandise refused entry into the United States; redelivered merchandise.—Motor vehicles or motor vehicle en-

gines which are denied entry under paragraph (b) of this section or which are redelivered in accordance with paragraph (c) of this section and which are not exported under customs supervision within 90 days from the date of notice of refusal of admission or date of redelivery shall be disposed of under customs laws and regulations; Provided, however, That any such disposition shall not result in an introduction into the United States of a motor vehicle or motor vehicle engine not covered by a certificate of conformity with Federal motor vehicle emission standards.

(f) Prohibited importations.—The importation of motor vehicles and motor vehicle engines, otherwise than in accordance with the provisions of this section, is prohibited.

(Sec. 484, 46 Stat. 722, as amended, sec. 203, 79 Stat. 993, as amended; 19 U.S.C. 1484, 42 U.S.C. 1857f-2, 1857g).

(320.2)

Myles J. Ambrose, Commissioner of Customs.

Approved January 21, 1972:
EUGENE T. Rossides,
Assistant Secretary of the Treasury.

Approved December 23, 1971:
WILLIAM D. RUCKELSHAUS,
Administrator, EPA.

[Published in the Federal Register February 2, 1972 (37 F.R. 2430)]

(T.D. 72–46)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 27, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different com-

pany or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount	
Amerind Shipping Corp., 17 Battery Pl., New York, N.Y.; American Casualty Co. D 12/22/71	Sept. 8,1967	Sept. 8,1967	New York Sea- port; \$10,000	
BMT Commodity Corp. (A. N.Y. Corp.), 485 Madison Ave., New York, N.Y.; Federal Ins. Co. PB(1/6/64) D 1/6/72 1	Jan. 6,1972	Jan. 6,1972	New York Sea- port; \$10,000	
Collins Aikman Corp., 210 Madison Ave., New York, N.Y.: St. Paul Fire & Marine Ins. Co.	Jan. 6, 1972	Jan. 10, 1972	Norfolk, Va.; \$10,000	
Holsten Import Corp., 1860 Broadway, New York, N.Y.; American Casualty Co. D 12/24/71	Oct. 22, 1969	Oct. 22, 1969	New York Sea- port; \$10,000	
Lep Transport, Inc., 15 Williams St., New York, N.Y.; American Casualty Co. D 12/24/71	Oct 3, 1968	Oct. 3, 1968	New York Sea- port; \$10,000	
Lone Star Shipping Inc., 1505 Texas Ave., Honston, Tex.; Fidelity & Deposit Co., of Md. (PB 17/71) D 17/72 2	Jan. 7, 1972	Jan. 7, 1972	Houston, Tex.; \$10,000	
Marubeni-Iida (America) Inc., (A. N.Y. Corp.), 200 Park Ave., New York, N.Y.; Peerless Ins. Co.	Dec. 1, 1971	Dec. 9, 1971	Los Angeles, Calif.; \$10,000	
Mitsul & Co., (USA) Inc. (A N.Y. Corp.), 200 Park Ave, New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 12/24/71	Dec. 24, 1970	Dec. 24, 1970	New York Sea- port; \$10,000	
New York News Inc. (A N.Y. Corp.), 220 E. 42nd St., New York, N.Y.; St. Paul Fire & Marine Ins. Co.	Dec. 20, 1971	Dec. 21, 1971	New York Sea- port; \$10,000	
Btrachan Shipping Co. (A Del. Corp., acting as agents for Swedish Atlantic Line & Oy Finnilnes Ltd.), Savannah Bank & Trust Co. Bidg., Savannah, Ga.; Federal Ins. Co. (PB 10/1/1) D 11/15/71	Nov. 15, 1971	Nov. 23, 1971	Savannah, Ga.; \$10,000	

Surety is St. Paul Fire & Marine Ins. Co.

(542.113)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-47)

#### Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 27, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond

<sup>3</sup> Surety is National Surety Corp. Principal is Lone Star Shipping Co.

previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
Frontier Airlines, Inc., 5900 E. 39th Ave., Denver, Colo.; St. Paul Fire & Marine Ins. Co. PB(7/1/68) D 12/21/71	Dec. 21, 1971	Dec. 21, 1971	El Paso, Tex.; \$100,000

<sup>1</sup> Surety is Federal Insurance Agency.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-48)

#### Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 31, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

e <sub>2</sub> ,1 = E	Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
port, Wa	Airlines, Inc., Washington National Airshington, D.C.; Ins. Co. of North America 30/68) D 1/14/72 <sup>1</sup>	Oct. 1, 1971	Jan. 14, 1972	Cleveland, Ohlo; \$100,000

<sup>1</sup> Surety is Globe Indemnity Co.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-49)

# Classification of rough hub castings

Decision in C.D. 4209, holding that rough hub castings to be used in various machinery which incorporates planetary axles, classifiable under the provision for cast-iron articles, not alloyed and not malleable, in item 657.09, Tariff Schedules of the United States, limited

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., January 31, 1972.

In John V. Carr & Son, Inc. v. United States, C.D. 4209 (Decided April 29, 1971), the United States Customs Court held that rough hub castings used in various machinery which incorporates planetary axles are classifiable under the provision for cast-iron articles, not alloyed and not malleable, in item 657.09, Tariff Schedules of the United States (TSUS), rather than under the provision for parts of machines not specially provided for, in item 678.50 of the tariff schedules, as claimed by the Government. The court found that (1) the rough hub castings were not usable as parts of planetary axles until they were subjected to several machining operations, and, therefore, they were not parts, and (2) that the castings were made of non-malleable and non-alloyed cast iron which is within the purview of item 657.09, TSUS.

Evidence is now available which indicates that the imported rough hub castings may have been made of a nodular-type iron considered to be malleable as first cast. If this is the case, the castings constitute steel as defined in Headnote 2(g), Schedule 6, Part 2B. The Government has, therefore, concluded that classification under item 657.09, TSUS, is improper. For this and other reasons, retrial of this issue will be sought. Accordingly, pending a new ruling by the court, the decision in C.D. 4209 shall be limited to the specific entry before the court.

(344.3)

Edwin F. Rains, Acting Commissioner of Customs.

#### (T.D. 72-50)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 1, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Argentine peso:

For the period of January 24 through January 28, 1972, rate of \$0.1996.

#### Denmark krone:

January	24,	1972	\$0.1429
January	25,	1972	. 142950
January	26,	1972	. 142650
January	27,	1972	. 142675
January	28,	1972	. 1428

#### Hong Kong dollar:

For the period December 20 through December 24, 1971, rate temporarily suspended.

#### Iran rial:

For the period January 10 through January 14, 1972, rate of \$0.0132.

#### Philippine peso:

January	10,	1972	\$0.1550
January	11,	1972	. 1525
January	12,	1972	. 1560
January	13,	1972	. 1550
January	14	1979	1550

#### Thailand baht (tical):

January	10,	1972	\$0.0476
January	11,	1972	. 0476
January	12,	1972	. 0478
January	13,	1972	. 0478
		1972	. 0478

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains, Acting Commissioner of Customs.

# (T.D. 72-51)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., February 8, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
Basse Truck Lines, Inc., 205 Avenue O, Del Rio, Tex., motor carrier; The Home Indemnity Co.	June 16, 1971	Sept. 7, 1971	Laredo, Tex.; \$25,000
John F. Bruce, an individual, 1311 16th St. South, Great Falls, Mont., motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 17, 1972	Jan. 18, 1972	Great Falls, Mont.; \$25,000
Columbia Van Lines Inc., 631 S. Pickett St., Alexandria, Va., motor carrier; Mid-Century Ins. Co.	Jan. 6, 1972	Jan. 18, 1972	Baltimore, Md.; \$25,000
Dignan Trucking, Inc., 3210 Hammonds Ferry Rd., Battimore, Md., motor carrier; Fidelity & Deposit Co. of Md. (PB 51/168) D 1/20/72 1	Jan. 1, 1972	Jan. 20, 1972	Baltimore, Md.; \$25,000
Ellis Trucking Co., Inc., 1205 S. Platte River Dr., Denver, Colo., motor carrier; American Casualty Co. of Reading, Pa. (PB 9/11/68) D 1/20/72 <sup>2</sup>	Oct. 1, 1971	Jan. 26, 1972	Cleveland, Ohio; \$35,000
ETMF Freight System, 2355 Stemmons Freeway, Dallas, Tex., motor carrier; Seaboard Surety Co. D 1/17/72	Jan. 8, 1971	March 8, 1971	Los Angeles, Calif.; \$50,000
Everett Trucking, Inc., P.O.B. 56, Mt. Vernon, Wash., motor carrier; General Ins. Co. of America	Jan. 14, 1972	Jan. 14, 1972	Seattle, Wash.; \$25,000
Ewing Transportation, Inc., Routes 452 & 322, Chester, Pa., motor carrier; Fidelity & Deposit Co.	Nov. 5, 1971	Jan. 7, 1972	Philadelphia, Pa.; \$25,000
Exley Express, Inc., 2610 S.E. 8th Ave., Portland Ore., motor carrier; Mid-Century Ins. Co. (PB 5/28/68) D 12/29/71 3	Dec. 13, 1971	Dec. 29, 1971	Portland, Ore.; \$25,000
Fillmore Freight Lines, Inc., 1253 Pennsylvania Ave., P.O.B. 528, E. Liverpool, Ohio, motor carrier; The Travelers Indemnity Co.	Dec. 20, 1971	Jan. 26, 1972	Cleveland, Ohio; \$25,000
Great Western Unifreight System, 17600 S. Sante Fe Ave., Compton, Calif., motor carrier; The Home Indemnity Co. (PB 6/30/71) D 1/18/72 4	Jan. 13, 1972	Jan. 18, 1972	Los Angeles, Calif. \$50,000

See footnotes at end of table.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs amount
E. Landon Cartage Co., 1030 W. Monroe St., Chicago, Ill., motor carrier; Continental Ins. Co.	Dec. 2, 1971	Jan. 24, 1972	Chicago, Ill.; \$35,000
Lynden Transport, Inc., P.O.B. 433, Lynden, Wash., motor carrier; American States Ins. Co.	Jan. 9, 1972	Jan. 9, 1972	Seattle, Wash.: \$25,000
Merrill Transport Co. Portland, Maine, motor carrier; Maine Bonding & Casualty Co. (PB 1/15/69) D 1/15/72 *	Jan. 15, 1972	Jan. 15, 1972	Portland, Maine; \$25,000
New England Transportation Co., 33 Dartmouth St., Westwood, Mass., motor carrier; Federal Ins. Co.	Aug. 4, 1969	Jan. 18, 1972	Boston, Mass.; \$100,000
The New York, New Haven & Hartford Railroad Co. a/o Union Freight Railroad Co., a/o The New England Transportation Co., New Haven, Conn., & Boston, Mass., rail & motor carrier; Continental Casualty Co. D 1/18/72	Aug. 4, 1956	Aug. 6, 1956	Boston, Mass.; \$100,000
Packet Motor Express, Inc., 465 Meeting St., Charles- ton, S.C., motor carrier; National Surety Corp. (PB 10/19/65) D 1/2/72 6	Dec. 22, 1971	Jan. 3, 1972	Charleston, S.C.; \$25,000
Prairie Automobile Transport Ltd., 775 Plinquet Ave., St. Boniface, Man., Canada, motor carrier; U.S. Fidelity & Guaranty Co. D 1/3/72	Mar. 1, 1959	Feb. 25, 1959	Pembina, N.D.; \$20,000
E. A. Schlairet Transfer Co., 248 W. Chester Ave., S.E., Atlanta, Ga., motor carrier; American Casualty Co. D 12/31/71	July 15, 1970	Aug. 18, 1970	Cleveland, Ohio; \$25,000
Star Transport Co., Inc., 4730 Hollins Ferry Rd., Baltimore, Md., motor carrier; The Travelers Indemnity Co.	Dec. 2, 1971	Dec. 28, 1971	Baltimore, Md.; \$25,000
South Texas Shipping & Towing, Inc., 13020 Sarah Lane, Houston, Tex., water carrier; The Travelers Indemnity Co. D 12/28/71	Jan. 16, 1968	Feb. 4, 1968	Houston, Tex.; \$50,000
Southern Airways Co., P.O.B. 20718 Airport Mail Facility, Atlanta, Ga., air carrier; Insurance Co. of North America (PB 10/3/68) D 1/7/27	Oct. 3, 1971	Jan. 3, 1972	Savannah, Ga.; \$25,000
Superior Trucking Co., Inc., 2770 Peyton Rd., N.W., Atlanta, Ga., motor carrier; Reliance Ins. Co. (PB 12/31/69) D 12/8/71 <sup>8</sup>	Dec. 31, 1971	Dec. 31, 1971	Savannah, Ga.; \$25,000
Trans-United Inc., 2733 Pacific Coast Highway, Torrance, Calif.; motor carrier; Pacific Employers Ins. Co.	Nov. 24, 1971	Nov. 26, 1971	San Francisco, Calif.; \$25,000
Youngstown Cartage Co., 825 W. Federal St., Youngstown, Ohio, motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 5, 1972	Jan. 24, 1972	Detroit, Mich.; \$25,000

Principal is Joseph M. Dignan & Son, Inc.
 Surety is U.S. Fidelity & Guaranty Co.

(241.2)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

<sup>&</sup>lt;sup>3</sup> Surety is Liberty Mutual Ins. Co.

<sup>4</sup> Principal is Great Western Container Freight Transport.

<sup>&</sup>lt;sup>5</sup> Principal is Paul E. Merrill, d/b/a Merrill Transport Co. Surety is U.S. Fidelity & Guaranty Co.

<sup>•</sup> Surety is Glens Falls Insurance Co.

<sup>7</sup> Surety is The Travelers Indemnity Co.
8 Surety is Continental Casualty Co.

(T.D. 72-52)

Cartmen and lightermen licenses and identification cards—Customs
Regulations amended

Amendment of sections 21.2 and 21.6, Customs Regulations, and the addition of a new section 21.2a, Customs Regulations, to prescribe procedures for revoking or suspending licenses and identification cards

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 21-CARTAGE AND LIGHTERAGE

On November 20, 1971, there was published in the Federal Register (36 F.R. 22162) a notice of proposed rulemaking to amend sections 21.2 and 21.6 of the Customs Regulations (19 CFR 21.2, 21.6) and to add a new section 21.2a, to prescribe procedures to be followed by the Bureau of Customs in revoking or suspending a cartman or lighterman license or identification card issued by the Bureau of Customs. Interested persons were given 30 days in which to submit in writing any data, views or arguments pertaining to the proposed amendment.

No objections have been received and the amendments as proposed, with a change in subparagraph (5) to section 21.6(b) to clarify the application of the revocation or suspension procedure where a license has been issued to a corporation, are adopted as set forth below.

This amendment shall become effective 30 days after the date of its publication in the Federal Register.

(258.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved February 4, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 16, 1972 (37 F.R. 3423)]

Section 21.2 is amended to read as follows:

§ 21.2 Identification cards.—(a) When required for purposes of local Customs administration, the district director of Customs may require each licensed cartman or lighterman and each employee thereof who receives, transports, or otherwise handles imported merchandise

which has not been released from Customs custody to carry and display upon request of a Customs officer an identification card issued by the Bureau of Customs. An identification card shall not be issued to any person whose employment in connection with the transportation of bonded merchandise will, in the judgment of the district director, endanger the revenue.

(b) An application for an identification card required pursuant to paragraph (a) of this section shall be filed personally by the applicant with the district director of Customs on Customs Form 3078 together with two  $1\frac{1}{4}$ " x  $1\frac{1}{4}$ " color photographs of himself. The fingerprints of the applicant shall also be required on Standard Form 87 at the time of the filing of the application.

(c) The identification card shall be issued on Customs Form 3873 and shall not be valid for Customs purposes unless the U.S. Customs

seal is impressed thereon.

- (d) The identification card shall be in the possession of the person in whose name the card is issued at all times when he is engaged in transactions with respect to imported merchandise. It shall be the responsibility of each person to whom an identification card is issued to encase it in protective transparent plastic so that both sides are clearly visible.
- (e) Should an identification card be presented by a person other than the one to whom it was issued, such card shall be forthwith confiscated.
- (f) When there has been a change in the name, address, or employer of the card holder, the card shall be promptly submitted by the card holder to the district director supported by an application in the proper form indicating the change so that it may be officially changed on the Customs records. New cards shall be issued when necessary.
- (g) The identification card shall be surrendered to the district director by the card holder when he leaves the employment of the cartman or lighterman, when the cartman or lighterman bond or license is terminated, or when the card is revoked or suspended pursuant to § 21.2a.
- (h) The loss or theft of an identification card shall be promptly reported by the card holder to the district director of Customs.

(Secs. 565, 624, 46 Stat. 747, as amended, 759; 19 U.S.C. 1565, 1624)

Part 21 is amended by adding a new § 21.2a as follows:

§ 21.2a Revocation or suspension of identification cards; hearings.—(a) An identification card issued pursuant to this part may be revoked or suspended by the district director if—

 Such card was obtained through fraud or the misstatement of a material fact; or

(2) The holder of such card is convicted of a felony, or convicted of a misdemeanor involving theft, smuggling, or any theft-connected crime; or

(3) The holder permits the card to be used by any other person, or refuses to produce it upon the proper demand of a Customs Officer; or

(4) The holder fails to abide by the rules and regulations pre-

scribed in this part.

(b) The district director of Customs shall revoke or suspend an identification card by serving notice of the proposed action in writing upon the card holder. Such notice shall be in the form of a statement specifically setting forth the grounds for revocation or suspension of the identification card and shall be final and conclusive upon the card holder unless within 10 days following receipt of such notice he shall file with the district director a written notice of appeal. The appeal shall be filed in duplicate and shall set forth the response of the holder to the statement of the district director. The card holder in his notice

of appeal may request a hearing.

(c) If a hearing is requested by a card holder in his notice of appeal, it shall be held before a hearing officer designated by the Secretary of the Treasury or his designee within 30 days following application therefor. The card holder shall be notified of the time and place of the hearing at least 5 days prior thereto. The holder of the identification card may be represented by counsel at such a hearing, and all evidence and testimony of witnesses in such a proceeding, including substantiation of the charges and the answer thereto shall be presented, with the right of cross-examination to both parties. A stenographic record of any such proceeding shall be made and a copy thereof shall be delivered to the card holder. At the conclusion of such proceeding or review of a written appeal, the hearing officer or the district director, as the case may be, shall forthwith transmit all papers and the stenographic record of the hearing, if held, to the Commissioner of Customs, together with his recommendation for final action. Following a hearing and within 10 calendar days after delivery of a copy of the stenographic record, the card holder may submit to the Commissioner in writing additional views and arguments on the basis of such record. If neither the card holder nor his attorney appear for a scheduled hearing, the hearing officer shall conclude the hearing and transmit all papers with his recommendation to the Commissioner of Customs. The Commissioner shall thereafter render his decision in writing, stating his reason therefor, with respect to the action proposed by the hearing officer or the district director. Such decision shall be transmitted to the district director and served by him on the card holder.

(Secs. 565, 624, 46 Stat. 747, as amended, 759; 19 U.S.C. 1565, 1624)

#### Section 21.6 is amended to read as follows:

§ 21.6 Suspension or revocation of licenses of cartman or lighterman.—(a) Inspectors or other Customs officers may require any person claiming to be a licensed customhouse cartman or lighterman to produce his license for inspection. The district director may also require that licensed cartmen and lightermen make, keep, and promptly submit for Customs inspection and examination upon request therefor, such current written records relating to cartage and lighterage as may be needed for purposes of local Customs administration.

(b) The district director may revoke or suspend the license of a

cartman or lighterman if:

(1) His license is not promptly produced upon demand;

(2) His vehicle or vessel is not properly marked, as required by

§ 21.1(c);

(3) The cartman or lighterman refuses or neglects to obey any proper order of a Customs officer or any Customs order, rule, or regulation relative to the cartage or lighterage of merchandise, including the marking, keeping, and submitting of current written records relating to cartage and lighterage;

(4) The license was obtained through fraud or the misstatement

of a material fact;

(5) The holder of such a license or an officer of a corporation holding such a license is convicted of a felony, or is convicted of a misdemeanor involving theft, smuggling or a theft-connected crime;

(6) The holder of such license permits it to be used by any other

person.

(c) The district director of Customs shall revoke or suspend a license by serving notice of the proposed action in writing upon the holder of the license. Such notice shall be in the form of a statement specifically setting forth the grounds for revocation and suspension of the license and shall be final and conclusive upon the licensee unless within 10 days following receipt of such notice he shall file with the district director a written notice of appeal. The appeal shall be filed in duplicate and shall set forth the response of the licensee to the statement of the district director. The licensee in his notice of appeal may request a hearing.

(d) If a hearing is requested, it shall be held before a hearing offi-

cer designated by the Secretary of the Treasury or his designee within 30 days following application therefor. The licensee shall be notified of the time and place of the hearing at least 5 days prior thereto. The holder of the license may be represented by counsel at such a hearing, and all evidence and testimony of witnesses in such proceeding, including substantiation of the charges and the answer thereto shall be presented, with the right of cross-examination to both parties. A stenographic record of any such proceeding shall be made and a copy thereof shall be delivered to the licensee. At the conclusion of such proceeding or review of a written appeal, the hearing officer or the district director, as the case may be, shall forthwith transmit all papers and the stenographic record of the hearing, if held, to the Commissioner of Customs, together with his recommendation for final action. Following a hearing and within 10 calendar days after delivery of a copy of the stenographic record, the licensee may submit to the Commissioner in writing additional views and arguments on the basis of such record. If neither the licensee nor his attorney appear for a scheduled hearing, the hearing officer shall conclude the hearing and transmit all papers with his recommendation to the Commissioner of Customs. The Commissioner shall thereafter render his decision, in writing, stating his reasons therefor, with respect to the action proposed by the hearing officer or the district director. Such decision shall be transmitted to the district director and served by him on the licensee.

(Secs. 565, 624, 46 Stat. 747, as amended, 759; 19 U.S.C. 1565, 1624)

(T.D. 72-53)

Imported alcoholic beverages—Customs Regulations amended
Section 24.4, Customs Regulations, relating to delinquent deferred taxes on
alcoholic beverages, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

On September 3, 1971, there was published in the Federal Register (36 F.R. 17653) a notice of proposed rule making setting forth a proposed amendment to the Customs Regulations relating to collec-

tion of interest on delinquent deferred taxes on alcoholic beverages. Interested persons were given 30 days to submit written comments, suggestions, or objections regarding the proposed regulations. After consideration of all representations received in response to the notice, the proposed amendment is hereby adopted as follows:

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

In section 24.4, paragraph (f), is amended to read as follows:

24.4 Optional method for payment of estimated import taxes on alcoholic beverages upon entry, or withdrawal from warehouse, for consumption.

(f) Payment procedure.—(1) Billing. Each importer who has deferred tax payments on imported alcoholic beverages will be billed at the end of each tax deferral period for all taxes deferred during the period. A statement will accompany each bill listing each tax amount deferred and the related entry number. These bills must be paid in full by the last day of the next succeeding deferral period.

(2) Interest on overdue accounts. When any bill for deferred taxes is not paid within the period specified in subdivision (1) of this paragraph, interest thereon at the rate of 6 percent per annum from the date following the end of the specified period to the date of payment of the bill shall be assessed, collected and paid in the

same manner as the basic tax.

The citation of authority for section 24.4 is amended to read:

(Sec. 201, 72 Stat. 1322, 1334, 1335, 68A Stat. 817, as amended, 917; 26 U.S.C. 5007, 5054, 5061, 6601, 7805.)

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

Effective date: This amendment shall become effective 30 days after its publication in the Federal Register.

(342.02)

EDWIN F. RAINS, Acting Commissioner of Customs.

JOHNNIE M. WALTERS/EMP, Commissioner of Internal Revenue.

Approved February 4, 1972: EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 16, 1972 (37 F.R. 3425)]

#### (T.D. 72-54)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 8, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Argentine peso:

For the period January 31 through February 4, 1972, rate of \$0.1996.

# Denmark krone:

mark krone.		
January 31,	1972	\$0.1428
February 1,	1972	. 1428
February 2,	1972	. 1432
February 3,	1972	. 143125
February 4,	1972	. 142950

#### Hong Kong dollar:

For the period December 27 through December 31, 1971, rate temporarily suspended.

#### Iran rial:

For the period January 17 through January 21, 1972, rate of \$0.0132.

#### Philippine peso:

For the period January 17 through January 21, 1972, rate of \$0.1550.

#### Thailand baht (tical):

January	17,	1972	\$0.0477
January	18,	1972	.0478
January	19,	1972	.0478
January	20,	1972	. 0479
January	21,	1972	. 0478

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs. (T.D. 72-55)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 3, 1972.

The following are synopses of drawback rates and amendments issued January 14, to January 27, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

Leonard Lehman, Acting Assistant Commissioner, Office of Regulations and Rulings.

(A) Capsules, empty gelatin.—T.D. 46592–F, as amended by T.D.'s 47775–D, 55448–A, 55550–O, and 69–80–O, covering, among other things, medicinal preparations manufactured under section 1313(a) by Parke, Davis & Co., Detroit, Mich., at its Detroit and Holland, Mich., factories with the use of sugar and corn starch, further amended to cover empty gelatin capsules manufactured under section 1313(b) by the said company at its factories located at Detroit, Mich., and Greenwood, S.C., with the use of gelatin.

Amendment effective on articles manufactured on and after July 1,

1968, and exported on and after September 1, 1968.

Supplemental statement of July 8, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., January 27, 1972.

(B) Frozen concentrated orange juice, concentrated orange juice for manufacturing (palatable), pasteurized orange juice, and orange juice from concentrate.—Manufactured under section 1313(b) by Southern Gold Citrus Products, Inc., Orlando, Fla., with the use of concentrated orange juice for manufacturing (unpalatable).

Rate effective on articles manufactured on and after July 29, 1971,

and exported on and after August 2, 1971.

Manufacturer's statements of December 9, 1971, January 15, 1972, and January 21, 1972, forwarded to the Regional Commissioner of Customs, Miami, Fla., January 25, 1972.

(C) Lead and antimonial lead products.—T.D. 42067-N, as amended by T.D.'s 42615-H, 42708-B, 44795-F, 53980-C, and 66-86-G, covering, among other things, lead and antimonial lead products manufactured under section 1313 (a) and (b) by The Bunker Hill Co., Kellogg, Idaho, at its Seattle, Wash., factory with the use of lead, antimonial lead in scrap form, reclaimed lead, scrap lead, lead battery

scrap, and antimonial lead scrap; T.D. 53272-G, as amended by 54357-C, covering the manufacture under section 1313(b) of lead oxides, litharge, and red lead by The Bunker Hill Co., Seattle, Wash., successor to Associate Lead and Zinc Co., with the use of pig lead, further amended to cover such products manufactured under section 1313(b) by Quemetco, Inc., City of Industry, Calif., successor, at its factories located at City of Industry, Calif.; Indianapolis, Indiana; and Seattle, Wash.

Amendment effective on articles exported on and after October 1,

1969, the date of succession.

Manufacturer's supplemental statement of August 13, 1971, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., January 26, 1972.

(D) Lead oxides, battery oxides, litharge, red lead, antimonial lead, caulking lead, zinc anodes and zinc alloys.—T.D. 54093—A, as amended by T.D.'s 54348—C, 69–132—I, and 71–97—H, covering, among other things, lead oxides, battery oxides, litharge, red lead, antimonial lead, and caulking lead manufactured under section 1313(b) by Quemetco, Inc., City of Industry, Calif., at its City of Industry, Calif., and Indianapolis, Ind., factories with the use of pig lead and antimony, further amended to cover zinc anodes and zinc alloys, manufactured under section 1313(b) by the said company at its factories located at City of Industry, Calif.; Indianapolis, Ind.; and Seattle, Wash., with the use of electrolytic zinc.

Amendment effective on articles manufactured and exported on and after November 24, 1969.

Manufacturer's supplemental statement forwarded to Regional Commissioner of Customs, Los Angeles, Calif., January 26, 1972.

(E) Nylon yarn.—T.D. 55074-D, as amended by T.D. 55492-D, covering caprolactam polymer, nylon pellets, and nylon yarn manufactured under section 1313(b) by National Aniline Div., Allied Chemical Corp., New York, N.Y., at its Chesterfield plant, Hopewell, Va., with the use of caprolactam monomer, further amended to cover nylon yarn manufactured under section 1313(b) by the Fibers Div., Allied Chemical Corp., at its Hopewell, Va., plant with the use of nylon polymer.

Amendment effective on articles manufactured and exported on and

after March 8, 1968.

Supplemental statement of November 15, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., January 14, 1972.

(F) Piece goods, dyed.—Manufactured under section 1313(b) by Ballet Fabrics, Inc., New York, N.Y., at its Scottsboro, Ala., factory

with the use of cotton, synthetic, and blended cotton and synthetic piece goods.

Rate effective on articles manufactured on and after April 27, 1971,

and exported on and after April 30, 1971.

Manufacturer's statement of September 3, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., January 25, 1972.

(G) Utensils, hospital, restaurant and household.—Manufactured under section 1313(b) by Bloomfield Industries, Inc., Div. of Beatrice Foods Co., Chicago, Ill., with the use of stainless steel sheets.

Rate effective on articles manufactured on and after September 10,

1969, and exported on and after May 14, 1971.

Manufacturer's statement of August 23, 1971, forwarded to Regressional Commissioners of Customs at Chicago, Ill., and Miami, Fla., January 17, 1972.

# (T.D. 72-56)

# Department of the Treasury-Office of the Secretary

Standards for security of international cargo

There are published below for information of the public recommended physical and procedural standards for the security of imported merchandise and merchandise for export.

Dated: February 4, 1972 (254)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register February 16, 1972 (37 F.R. 3455)]

# Department of the Treasury, Bureau of Customs

STANDARDS FOR CARGO SECURITY

# PHYSICAL SECURITY STANDARDS

All cargo handling and storage facilities should provide a physical barrier against unauthorized access to cargo. Usually this will require a covered structure with walls, and apertures which can be securely closed and locked. In addition, fencing may be needed:

1. To prevent unauthorized persons and vehicles from entering cargo storage and handling areas,

2. As sole protection for open storage of bulk cargo or large articles which cannot be easily pilfered or removed without mechanical handling equipment or which have their own inherent security (containers).

#### BUILDINGS

#### General Standard

All buildings used to house cargo and associated support buildings should be constructed of materials which resist unlawful entry. The integrity of the structure must be maintained by periodic inspection and repair. Security protection should be provided for all doors and windows.

# Recommended Specifications

1. Equip all exterior doors and windows with locks.

2. Protect all windows through which entry can be made from ground level by safety glass, wire mesh or bars.

3. Similarly safeguard all glassed-in areas where shipping documents are processed.

 Construct all delivery and receiving doors of steel or other material that will prevent or deter unlawful entry and keep them closed and locked when not in use.

5. Where fencing is impractical or guards insufficient, equip the building with an intrusion detection or alarm system.

Inspections must insure particularly that there are no avenues for surreptitious entry through floors, roofs, or adjacent buildings.

#### FENCING

#### General Standard

Where cargo security is dependent upon fencing, it should enclose an area around cargo and support buildings sufficient to provide maneuvering space for pick-up and delivery vehicles and should be set off a sufficient distance on all sides from the building or exterior stored cargo. The fence line must be inspected regularly for integrity and any damage promptly repaired.

# Recommended Specifications

1. Install chain link type fencing with at least nine gauge, two-inch mesh and at least 8 feet high (not including a barbed wire extension). If the level on which the fence is constructed is lower than the area outside the fence line, increase the height of the fence to provide an effective 8-foot fence at all points.

2. Top the fence with a 2-foot barbed wire extension, consisting of 3 strands of barbed wire, properly spaced and angled outward.

3. Place fence posts on the inside of the fence and secure them in a cement foundation at least 2 feet deep.

4. Ensure that objects or persons cannot pass beneath the fencing by providing:

a. Cement aprons not less than 6 inches thick, or

b. Frame piping, or

c. U-shaped stakes driven approximately 2 feet into the ground.

5. Avoid any condition which compromises the fence line. Prohibit the placing of containers, dunnage, cargo, vehicles, or any other item that may facilitate unlawful entry adjacent to the fence line.

6. Where necessary, install bumpers or fence guards to prevent damage by vehicles.

#### GATES

## General Standard

The number of gates in fences should be the minimum necessary for access. All fence gates should be at least as substantial as the fence. Gates through which vehicles or personnel enter or exit should be manned or under observation by management or security personnel.

# Recommended Specifications

1. Equip gates with a deadlocking bolt or a substantially equivalent lock which does not require use of a chain. All hardware connecting the lock to the gate should be strong enough to withstand constant use and attempts to defeat the locking device.

2. Construct swing-type gates so that they may be secured to the ground when closed.

3. Separate gates for personnel and vehicle traffic are desirable.

#### GATE HOUSES

## General Standard

Operators of facilities handling a substantial volume of cargo should maintain a manned gate house at all vehicle entrances and exits during business hours.

# Recommended Specifications

1. Set the gate house back from the gate so that vehicles can be stopped and examined on terminal property.

2. Equip the gate house with a telephone or other communication system.

3. Clear the area around the gate house of any encumbrances that restrict the guard's line of vision.

4. Post prominently on the exterior of all gate houses signs advising drivers and visitors of the conditions of entry. Include in conditions

of entry a notice that all vehicles and personnel entering the area are subject to search.

#### PARKING

#### General Standard

Private passenger vehicles should be prohibited from parking in cargo areas or immediately adjacent to cargo storage buildings. Access to employee parking areas should be subject to security controls.

# Recommended Specifications

 Locate parking areas outside of fenced operational areas, or at least a substantial distance from cargo handling and storage areas or buildings and support buildings.

2. Require employees exiting to the parking area from the cargo area to pass through an area under the supervision of management or security personnel. Require employees desiring to return to their private vehicles during hours of employment to notify management and/or security personnel.

3. Allow parking in employee parking areas by permit only. Maintain a record of each issued permit, listing the vehicle registration number, model, color and year. The permit should consist of a numbered decal, tag, sticker, or sign placed in a uniform location on the vehicle.

4. Issue to vendors and other visitors temporary parking permits which allow parking in a designated area under security controls.

#### LIGHTING

#### General Standard

Adequate lighting should be provided for the following areas:

1. Entrances, exits and around gate houses.

2. Cargo areas, including container, trailer, aircraft and rail-car holding areas.

3. Along fence lines and stringpieces.

4. Parking areas.

# Recommended Specifications

1. The Society of Illuminating Engineers recommends the following light intensities measured at ground level:

- a. Vehicle and pedestrian areas\_\_\_\_\_ 2.0 foot candles
- b. Vital structures and other sensitive areas\_\_\_ 2.0 foot candles
- c. Unattended outdoor parking areas\_\_\_\_\_ 1.0 foot candle
- 2. Illuminate all vehicle and pedestrian gates, perimeter fence lines, and other outer areas with mercury vapor, sodium vapor, power

quartz lamps or substantially similar high intensity lighting, employing a minimum of 400 watts per fixture. Locate lights 30 feet above ground level and properly spaced to provide the appropriate light intensity for the area to be illuminated.

3. Establish a system of planned maintenance.

 Protect lighting subject to vandalism by wire screening or other substantially equivalent means.

#### LOCKS, LOCKING DEVICES, AND KEY CONTROL

#### General Standard

Locks or locking devices used on buildings, gates and equipment should be so constructed as to provide positive protection against unauthorized entry. The issuance of all locks and keys should be controlled by management or security personnel.

# Recommended Specifications

1. Use only locks having (a) multiple pin tumblers, (b) dead-locking bolts, (c) interchangeable cores, and (d) serial numbers.

2. To facilitate detection of unauthorized locks, use only locks of

standard manufacture displaying the owner's company name.

3. Number all keys and obtain a signature from the recipient when issued. Maintain a control file for all keys. Restrict the distribution of master keys to persons whose responsibilities require them to have one.

4. Safeguard all unissued or duplicate keys.

5. Remove and secure keys from cargo handling equipment and vehicles when not in actual use.

#### HIGH-RISK CARGO

#### General Standard

Adequate space capable of being locked, sealed, or otherwise secured for storage of high-value cargo and packages which have been broken prior to or during the course of unloading must be provided at each cargo handling building. When such cargo must be transported a substantial distance from the point of unloading to the special security area, vehicles capable of being locked or otherwise secured must be used.\*

# Recommended Specifications

1. Construct special security rooms, cribs or vaults so as to resist forcible entry on all sides and from underneath and overhead.

2. Locate such special security areas, where possible, so that man-

<sup>\*</sup>The standards are required by Customs Regulation (19 C.F.R. 4.30).

agement and/or security personnel may keep them under continuous observation. Otherwise, install an alarm system or provide for inspection at frequent intervals.

3. Release merchandise from such an area only in the presence of

authorized supervisors and/or security personnel.

4. Log all movements of merchandise in or out of a special security area, showing date, time, condition of cargo upon receipt, name of truckman and company making pick-up and registration number of equipment used.

# PROCEDURAL SECURITY STANDARDS

#### PERSONNEL SCREENING

#### General Standard

Operators of cargo handling facilities should conduct employment screening of prospective employees.\*

# Recommended Specifications

1. Require all personnel, including maintenance and clerical personnel, who will have access to cargo areas to submit a detailed employment application which contains a photograph of the applicant and lists his residences and prior employment for the preceding 10 years.

2. Screen all such employment applicants for:

(a) verification of address and prior employment

(b) credit record and,

(c) if possible, criminal record.

#### SECURITY PERSONNEL

#### General Standard

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Operators of cargo handling facilities should employ a Security Officer or assign a particular officer of the firm to be responsible for security. All operators handling a substantial volume of international cargo should provide guards to protect the cargo.

# Recommended Specifications

Employ the number of guards required to provide adequate security for the size of each facility and the volume of cargo handled.

<sup>\*</sup>Customs regulations already require international carriers, proprietors of bonded ware-houses, and customhouse brokers to submit employee lists upon request from the District Director of Customs. Such lists must contain the name, address, social security number, and date and place of birth of each employee and be kept up to date (Customs Regulations, 19, C.F.R. 4.30 (m), 19.3 and 111.28).

Alarm systems, closed circuit television and other security devices may reduce the number of guards needed.

2. Train all company employee guard forces or insure that contract guard forces are trained in:

(a) Methods of patrolling terminals and warehouses.

(b) Use of firearms and other equipment that may be furnished.

(c) Report writing, log and record keeping.

(d) Identification of security problems and specific trouble areas.

3. Equip guard forces with uniforms which are complete, distinctive and authoritative in appearance.

4. Provide firearms, vehicles, communications systems, and other equipment deemed necessary for the successful performance of the

guard function.

5. Insist on physical fitness as a prime consideration in selecting a guard force. Require guards to undergo self-defense training similar to that of police agencies. Require a physical examination at least once a year.

6. Furnish each guard a manual covering operating procedures and standards of conduct, and a clear statement of what management expects of him.

#### COMMUNICATIONS

#### General Standard

Adequate and reliable communications between elements of the terminal security force and from the security force to local police should be provided.

# Recommended Specifications

1. Provide security personnel with a telephone at fixed posts or twoway radio, intercom or other type of equipment providing voice communication capability within the company.

2. Arrange assured means (telephone, radio, or special alarm line) for summoning assistance from local police forces.

#### IDENTIFICATION SYSTEM

#### General Standard

All operators of facilities handling a substantial volume of cargo should employ an identification card system to identify personnel authorized to enter cargo and document processing areas.

# Recommended Specifications

1. Include on the I.D. card: (a) physical description or, preferably, a color photograph of the holder, (b) name and address, (c) social

security number, (d) date of birth, (e) employer's Customs license number, if any, (f) signature of holder, and (g) reasonable expiration date.

Laminate all cards to prevent alterations and assign each card a control number.

3. Recover I.D. cards from terminated employees.

4. Require each employee to display his I.D. card to gain access to the facility, to cargo areas within the facility, and to areas where shipping documents are processed. Preferably, the I.D. card should be displayed so that it is visible at all times that the employee is within the facility.

#### INDEPENDENT CONTRACTORS

#### General Standard

The background and corporate structure of independent contractors providing janitorial service, refuse disposal, or other services should be verified. Access by independent contractors to the facility should be under security controls.

# Recommended Specifications

 Periodically examine independent contractor vehicles which are parked in or near cargo areas.

2. Permit independent contractor employees to enter only those areas necessary for their particular work; permit them access to cargo and areas where shipping documents are located only under the supervision of security and/or management personnel.

3. Require independent contractors to display identification similar to that required by the facility for its own employees.

#### CARGO QUANTITY CONTROLS

#### General Standard

Cargo should be tallied at time of delivery to the consignee or his agent. In the event of any discrepancies at time of delivery, a U.S. Customs Form 5931 or a duplicate copy of the amended cargo manifest must be completed and submitted to Customs by the carrier or his agent.\*

# Recommended Specifications

1. To facilitate accurate delivery of cargo, terminal operators should maintain and continuously up-date a location chart or list of all cargo received.

<sup>\*</sup>All international carriers are required by Customs Regulations to make discrepancy reports (19 C.F.R. 4.12(a), 6.7(h), 15.8, 18.2(b), 18.6(b), (c), 123.9).

2. Segregate imported cargo, cargo for export, and domestic cargo.

3. Carriers should arrange procedures with each terminal operator to insure that all overages and shortages are reported to Customs.

#### DELIVERY PROCEDURES

#### General Standard

Gate passes should be issued to truckmen and other onward carriers to control and identify those authorized to enter the facility. Verification of the identity and authority of the carrier requesting delivery of cargo should be made prior to the cargo's release.

# Recommended Specifications

1. Require truckmen to submit proper personal identification (such as a driver's license or Customs I.D. card) and a vehicle registration certificate before being issued a gate pass and being permitted to enter the facility; require them to surrender the gate pass before leaving the facility.

2. Seal containers and trailers and note the seal number on the gate pass before delivery is effected. Verify the seal number when

the gate pass is surrendered at the gate.

3. Require the company name of all onward carriers to be clearly shown on all equipment. Do not accept temporary placards or cardboard signs as proper identification of equipment. Require carriers using leased equipment to submit the lease agreement for inspection and note the leasing company's name on the delivery order.

4. Release cargo only to the carrier specified in the delivery order unless a release authorizing delivery to another carrier, signed by the original carrier, is presented and verified. Accept only original copies

of the delivery or pick-up orders.

5. Personnel processing prelodged delivery or pick-up orders should verify the identity of the truckman and the trucking company before releasing the pick-up order. Limit access to areas where such documentation is processed or held to authorized personnel and rigorously safeguard all shipping documents from theft or unauthorized observation.

6. Conduct delivery and receiving operations at separate docks or doors, if feasible.

7. Tally salvage and accumulated unclaimed cargo at the time of delivery and have management representatives and/or security personnel verify that only properly released items are included. If a terminal has truck scales, weigh the vehicle used to remove bulk salvage cargo (bales and drums) when empty and loaded.

#### CONTAINERIZED SHIPMENTS AND SEALS

#### General Standard

All containers, trailers, rail cars and air cargo lockers entering or leaving a facility should be sealed. Mounted and high value containerized shipments should receive special security attention.

# Recommended Specifications

1. Inspect seals whenever a sealed containerized shipment enters or leaves a facility. If the seals are not intact or there is evidence of tampering or the seal numbers are incorrect, notify security and/or management personnel and tally the cargo.

2. Seal unsealed containerized shipments at the point of entry to the facility and note the seal number on the shipping documents. Seal all containerized shipments leaving the facility and note the seal number on the shipping documents.

3. Release seals to as few persons as possible. Require all persons handling seals to maintain strict control of the seals assigned and to store them in a secure place.

4. Maintain a seal distribution log which indicates to whom seals have been released.

5. Where possible, secure containers by butting or "marrying" their door ends against each other. However, do not butt them against a perimeter fence or building wall if that will compromise the protection provided by the fence or wall. In stacking containers, place those containing high value merchandise on top.

Locate high value merchandise in mounted containers or trailers in a special security holding area where it can be observed by management and/or security personnel.

7. When containers are mounted on frames, secure the fifth-wheel by a pin-lock which meet the minimum standards for locks and is constructed to withstand normal abuse from equipment. Hold designated management and/or security personnel responsible for storage and control of pin-locks.

8. Restrict access to special security holding areas and permit the release of containers or trailers from such areas only in the presence of management representatives and/or security personnel.

9. Log movements of containers in or out of a special security holding area, showing: date, time, seal number, name of truckman and company making pick-up, and registration number of equipment used.

#### SECURITY EDUCATION

#### General standards

Management should institute a security awareness program for all personnel.

# Recommended Specifications

1. Conduct a program of periodic security seminars for all employees involved in cargo handling and documentation processing, stressing the importance of:

(a) Maintaining legible and accurate cargo tallies,

(b) Processing only legible documents,

(c) Writing only in ink or ball point pen,

(d) Completing all information required by shipping documents,

(e) Obtaining clearly written signatures,

(f) Safeguarding the confidentiality of shipping and entry documents, and

(g) Maintaining good cargo security generally.

2. Include in the security awareness program posters, stickers, payroll stuffers, monetary incentives, and properly worded reward signs. (Appropriate signs can be obtained from the Bureau of Customs field offices.)

# (T.D. 72-57)

#### Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in the Hungarian People's Republic

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 10, 1972.

There is published below the directive of January 13, 1972, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in the Hungarian People's Republic. This directive cancels and supersedes that Committee's directive of July 23, 1971 (T.D. 71–213).

This directive was published in the Federal Register on January 19, 1972 (37 F.R. 827), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

# THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

January 13, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

# DEAR MR. COMMISSIONER:

This letter cancels and supersedes the directive of July 23, 1971 from the Chairman of the President's Cabinet Textile Advisory Committee that directed you to prohibit, effective as soon as possible, and for the twelve-month period beginning August 1, 1971 and extending through July 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 5 and 39 produced or manufactured in the Hungarian People's Republic, in excess of specified levels of restraint.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 13, 1970, between the Governments of the United States and the Hungarian People's Republic, as amended by an exchange of notes dated December 16, 1971, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning August 1, 1971 and extending through July 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 9 and 39 produced or manufactured in the Hungarian People's Republic, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint <sup>1</sup>
9	1,155,000 sq. yds.
39	59.850 dozen pairs

Cotton textile products in Category 39 produced or manufactured in the Hungarian People's Republic and which have been exported prior to August 1, 1971, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period of August 1, 1970 through July 31, 1971. In the event that the level of restraint established for that period has been

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect any entries made on or after August 1, 1971.

exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

Cotton textile products in Category 9, produced or manufactured in the Hungarian People's Republic and which have been exported to the United States from the Hungarian People's Republic prior to August 1, 1971, shall not be subject to this directive.

Cotton textile products in Category 9, produced or manufactured in the Hungarian People's Republic, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of August 13, 1970, as amended, between the Governments of the United States and the Hungarian People's Republic which provide, in part, that within the aggregate limit, the limitations on Categories 9 and 39 may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Hungarian People's Republic and with respect to imports of cotton textiles and cotton textile products from the Hungarian People's Republic have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Maurice H. Stans,
Secretary of Commerce
Chairman, President's Cabinet
Textile Advisory Committee

#### (T.D. 72-58)

# Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Mexico

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 10, 1972.

There is published below the directive of January 21, 1972, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the visa requirement prior to entry into the United States of cotton textiles and cotton textile products, in categories 1 through 64, manufactured or produced in Mexico. This directive amends that Committee's directive of August 23, 1971 (T.D. 71–246).

This directive was published in the Federal Register on January 28, 1972 (37 F.R. 1419), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE, WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

January 21, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This letter amends the directive of August 23, 1971 from the Chairman of the President's Cabinet Textile Advisory Committee that directed you to prohibit, effective 30 days after publication of notice in the Federal Register, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton textiles and cotton textile products produced or manufactured in Mexico, and exported from Mexico to the United States for which Mexico had not issued a visa.

Pursuant to the authorities set forth in the first paragraph of the

aforementioned letter of August 23, 1971, the second sentence in the second paragraph of that directive is amended, effective as soon as possible, to read as follows:

"Generally, a separate Visa will be required for each of the 64 categories of cotton textiles and cotton textile products, provided however, that when more than one category is listed on a single invoice, a single Visa may cover all the cotton textiles and cotton textile products on that invoice regardless of the number of categories."

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

(T. D. 72-59)

Treasury Department Additional Duty Order No. 4

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 10, 1972.

There is published below Treasury Department Additional Duty Order No. 4, dated December 18, 1971. This Order has been issued pursuant to authority vested in the Secretary of the Treasury by Headnote 4(a) to Part 2C of the Appendix to the Tariff Schedules of the United States, and it modifies Headnote 5 to Part 2C of the Appendix by establishing certain exemptions from the additional duty imposed under Presidential Proclamation 4074.

(332.4)

Edwin F. Rains,
Acting Commissioner of Customs.

# DEPARTMENT OF THE TREASURY OFFICE OF THE SECRETARY

#### TREASURY DEPARTMENT ADDITIONAL DUTY ORDER NO. 4

Articles Exempt from Additional Duty Imposed Under Subpart C of Part 2 of the Appendix to the Tariff Schedules of the United States

Pursuant to the authority vested in the Secretary of the Treasury by Headnote 4(a) subpart C of part 2 of the Appendix to the Tariff Schedules of the United States, I hereby determine that it is consistent with safeguarding the balance of payments position of the United States to establish exemptions from the additional duty provided for in subpart C as set forth in Headnote 5 thereof, which I hereby amend as follows:

Paragraph (g) is amended to read:

(g) Articles, irrespective of country of origin, described in the categories established for the administration of the Long-Term International Cotton Textile Arrangement published in the Federal Register for Saturday, October 9, 1971 (36 F.R. 19722).

A new paragraph, designated as paragraph (i), is added reading as follows:

(i) Articles exported to the United States on or after October 1, 1971, irrespective of country of origin, which are described in the textile and apparel categories for wool and man-made fibers published in a notice in the Federal Register for Saturday, October 9, 1971 (36 F.R. 19722), or as such notice may, subject to the prior approval of the Secretary of the Treasury, be amended.

This modification of Headnote 5 is published in the Federal Register pursuant to Headnote 4(b) to subpart C.

JOHN B. CONNALLY, Secretary of the Treasury.

Date: December 18, 1971

(T.D. 72-60)

Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Malta

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 11, 1972.

There is published below the directive of January 14, 1972, received by the Commissioner of Customs from the President's Cabinet Textile

Advisory Committee concerning the restriction on entry into the United States of cotton textile products in certain categories manufactured or produced in Malta.

This directive was published in the Federal Register on January 21, 1972 (37 F.R. 952), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

January 14, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of June 14, 1967, as amended and extended, between the Governments of the United States and Malta, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible and for the twelve-month period beginning January 1, 1972 and extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 43, 51, and 60, produced or manufactured in Malta, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint <sup>1</sup>
43	81, 171 dozen
51	28, 715 dozen
60	49, 136 dozen

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect entries made on or after January 1, 1972.

Entries of cotton textile products in Categories 43, 51, and 60, produced or manufactured in Malta and which have been exported to the United States from Malta prior to January 1, 1972, shall not be subject to this directive.

Cotton textile products in Categories 43, 51, and 60, produced or manufactured in Malta, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of June 14, 1967, as amended and extended, between the Governments of the United States and Malta which provide in part that within the aggregate and applicable group limit, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malta and with respect to imports of cotton textile products from Malta have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee

#### (T.D. 72-61)

# Countervailing duties—Sugar content of certain articles from Australia

Net amount of bounty declared for the months of October, November, and December 1971, for products of Australia subject to the countervailing duty order published in T.D. 54582. Section 16.24(f), Custom Regulations, amended

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 16-LIQUIDATION OF DUTIES

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the months of October, November, and December 1971, of approved fruit products and other approved products containing sugar amount to Australian \$71.40 \$63.50, and \$62.30, respectively, per 2,240 pounds of sugar content.

The net amount of bounties or grants on the above-described commodities which are manufactured or produced in Australia is hereby ascertained, determined, and declared to be the rates stated above. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the net amounts of the bounty shown above shall be assessed and collected.

The table in section 16.24(f) under "Australia—Sugar content of certain articles" is amended (1) by deleting therefrom the reference to T.D. 70–197 and (2) by adding a reference to this Treasury Decision. As amended the last three lines of the table under this commodity will read:

Count	ry	Commodity	Treasury Decision	Action
			71-276	New rate New rate New rate

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624.) (644)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved February 8, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 23, 1972 (37 F.R. 3802)] in Michraerm and which have been experted to the United States from

(T.D. 72–62)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles, in category 9, manufactured or produced in Nicaragua

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., February 15, 1972.

There is published below the directive of January 28, 1972 received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles, in category 9, manufactured or produced in Nicaragua.

This directive was published in the Federal Register on February 2, 1972 (37 F.R. 2543), by the Interagency Textile Administrative Committee.

(343.3)

EDWIN F. RAINS,

Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

January 28, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning November 30, 1971, and extending through November 29, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles in Category 9, produced or manufactured in Nicaragua, in excess of a level of restraint for the period of 800,000 square yards.

Entries of cotton textiles in Category 9, produced or manufactured in Nicaragua and which have been exported to the United States from Nicaragua prior to November 30, 1971, shall not be subject to this directive.

Cotton textiles in Category 9 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 9, in terms of T.S.U.S.A. numbers, was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles from Nicaragua have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

MAURICE H. STANS, Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee

<sup>&</sup>lt;sup>1</sup> This level has not been adjusted to reflect any entries made on or after November 30, 1971.

# (T.D. 72–63)

# Foreign currencies-Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., February 15, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

# Argentine peso:

For the period February 7 through February 11, 1972, rate of \$0.1996.

#### Denmark krone:

February	7, 1972	\$0.1430
February	8, 1972	.142950
February	9, 1972	.1429
	10, 1972	
	11, 1972	.1430

Hong Kong dollar:	Official	Free
January 3, 1972\$	0.1740	\$0.174978*
January 4, 1972	.1755	.175131*
January 5, 1972	.1733	.175208*
January 6, 1972	.1740	.175284*
January 7, 1972	.1732	.175208*

# Iran rial:

For the period January 24 through January 28, 1972, rate of \$0.0132.

#### Philippine peso:

For the period January 24 through January 28, 1972, rate of \$0.1550.

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<sup>\*</sup>Certified as nominal rates.

<sup>496-798-74-8</sup> 

Thailand baht (tical):

titatiu bati	0 (0.	icai).		
January	24,	1972	\$0.0477	
January	25,	1972	.0477	
January	26,	1972	.0478	
January	27,	1972	.0480	
		1972		

This information is for use pursuant to section 16.4. Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains,

Acting Commissioner of Customs.

# (T.D. 72-64)

Articles conditionally free, subject to a reduced rate, etc.—Scientific instruments and apparatus

Sections 10.114, 10.115, 10.116, 10.117, and 10.118, Customs Regulations, relating to instruments and apparatus for educational and scientific institutions, amended

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

The Business and Defense Services Administration (BDSA) of the Department of Commerce has been reorganized as the Office of Import Programs (OIP) necessitating amendments of that office's regulations regarding the determination of scientific equivalency for instruments and apparatus sought to be entered free of duty under the provision of item 851.60, Tariff Schedules of the United States. These changes in the OIP regulations make necessary certain editorial changes in the Customs Regulations. The changes are to cross references, form numbers, and "administrator" to "official".

In order to effect these changes the following sections of Part 10 of the Customs Regulations are amended as set forth below:

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

In section 10.114, paragraph (a) is amended by substituting "15 CFR 701.9" for "15 CFR 602.4", "15 CFR 701.8" for "15 CFR

602.5(e)", and "15 CFR 701.11" for "15 CFR 602.5" where they appear.

In paragraph (d) of section 10.114, subparagraph (1) is amended by substituting "Form OIPF 768" for "Form BDSAF-768".

In paragraph (d) of section 10.114, subparagraphs (2) and (3) are amended by substituting "Form OIPF 768" for "Form BDSAF-768" and "official" for "administrator".

Section 10.115 is amended to read as set forth below:

10.115 Application for duty-free entry of foreign instruments.—Form OIPF 768, "Request for duty-free entry of scientific instruments and apparatus" (copies may be obtained from the Deputy Assistant Secretary for Resources, Department of Commerce, field offices, or Customs ports), shall be used in the preparation of an application. This form shall be completed and filed in accordance with section 15 CFR 701.3 and the instructions appearing on the form.

(77A Stat. 14, 419, as amended; 19 U.S.C. 1202 (Gen. hdnte. 11, sch. 8, part 4, hdnotes. 1, 6)

Section 10.116 is amended by substituting "Form OIPF 768" for "Form BDSAF-768" and "official" for "administrator" wherever they appear.

Section 10.117 is amended by substituting "official" for "administrator" wherever it appears.

In paragraph (a) of section 10.118, item 4 is amended to read as follows:

(4) The description of the article required by question 5 of Form OIPF 768.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624) Because these amendments conform the Customs Regulations with changes in the regulations of the Department of Commerce and are merely editorial changes, notice and public procedure thereon are unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date. These amendments shall be effective upon publication in the Federal Register.

(ADM-9-REG)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved February 11, 1972: EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 24, 1972 (37 F.R. 3896)]

#### (T.D. 72-65)

#### Bonds.

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., February 17, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount	
Asiatic Trans-Pacific, Inc., 321 Valencia St., San Francisco, Calif.; St. Paul Fire & Marine Ins. Co.	Feb. 1,1972	Feb. 1,1972	San Francisco, Calif.; \$10,000	
Asphalt Materials Inc., 141 Fillmore Ave., Buffalo, N.Y.; United States bond in lieu of surety	Jan. 7, 1971	Jan. 7, 1971	Buffalo, N.Y.; \$10,000	
Austin, Nichols & Co., Inc. (A Va. Corp.), 55-30 58th St., Maspeth, L.I., N.Y.; St. Paul Fire & Marine Ins. Co.	Feb. 7,1972	Feb. 9,1972	New York Sea- port; \$10,000	
Mr. Boston Distiller Corp., 1010 Massachusetts Ave., Boston, Mass.; Employers Commercial Union Ins. Co.	Nov. 8, 1971	Dec. 10, 1971	Boston, Mass.; \$10,000	
California Cargo Containers Inc., 801 Maritime St., Oakland, Calif.; Hartford Accident & Indemnity Co.	Dec. 10, 1971	Jan. 20, 1972	San Francisco, Calif.; \$20,000	
Camden Wire Co., Inc., Camden N.Y.; Utica Mutual Ins. Co.	Dec. 16, 1971	Jan. 19, 1972	Buffalo, N.Y.; \$10,000	
Consolidated Yarns & Synthetics, Inc., 1170 Broadway, New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 1/13/72	May 14, 1968	May 17, 1968	Wilmington, N.C.; \$10,000	
Deluca Importing Co., Inc., 2548 W. Desert Inn Rd., Las Vegas, Nev.; St. Paul Fire & Marine Ins. Co. D 11/25/71	Nov. 25, 1968	Dec. 3, 1968	Los Angeles, Calif.; \$10,000	
Perry B. Duryea & Son Inc., Montauk, L. I., N.Y.; St. Paul Fire & Marine Ins. Co. D 1/19/72	Dec. 18, 1963	Dec. 26, 1963	New York Seaport; \$10,000	
Norton, Lilly & Co., Inc., 90 W. St., New York, N. Y.; Midland Ins. Co. (PB 1/21/71) D 1/21/72 <sup>1</sup>	Dec. 9, 1971	Jan. 21, 1972	New York Sea- port; \$10,000	
No. 2-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1				

See footnote at end of table.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Phillips-Parr, Inc., P.O.B. 1108, Galveston, Tex.; American Indemnity Co.	Feb. 4,1972	Feb. 11, 1972	New Orleans La. \$10,000
Scott Paper Co., Everett, Wash.; Insurance Co. of North America D 12/20/71	Dec. 15, 1965	Dec. 15, 1965	Seattle Wash.; \$10,000
Shiperaft Agency Inc. (A N.Y. Corp.), 42 Broadway, New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 1/20/72	Dec. 4,1970	Dec. 7, 1970	New York Sea- port; \$10,000
Strick Corp., U.S. Highway No. One, Fairless Hills, Pa.; Peerless Ins. Co.	Feb. 2, 1972	Feb. 7,1972	Philadelphia, Pa.; \$10,000
United States Borax & Chemical Corp. (A Nev. Corp.), 3075 Wilshire Blvd., Los Angeles Calif.; St. Paul Fire & Marine Ins. Co.	Dec. 22, 1971	Dec. 22, 1971	Los Angeles, Calif. \$10,000

Surety is Federal Ins. Co.

(542.113)

Leonard Lehman,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-66)

General provisions—Customs Agency Service Offices

Section 1.5, Customs Regulations, relating to Customs Agency Service Offices, amended

DEFARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

In order to facilitate and improve enforcement, it is desirable to activate a Customs Agency Service suboffice at Baton Rouge, Louisiana.

To effect this change the table in section 1.5 of the Customs Regulations is amended by adding "Resident Special Agent, Baton Rouge, Louisiana" in the column headed "Suboffices" for District No. 6.

(80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

This activation of an additional Customs Agency Service suboffice

relates to agency management. It is advantageous to dispense with the delayed effective date, notice and public procedure requirements as provided in 5 U.S.C. 553, so that the suboffice might be operational as soon as possible.

Effective date: This Treasury Decision shall become effective upon

publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved February 16, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 26, 1972 (37 F.R. 4076)]

#### (T.D. 72-67)

Fines, penalties and forfeitures—Requirements on petition for relief

Section 171.13, Customs Regulations, relating to petition for mitigation or remission in vehicle forfeitures, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 171-FINES, PENALTIES AND FORFEITURES

On December 15, 1971, notice of change in policy relating to mitigation and remission decisions on vehicle forfeitures was published by the Treasury Department in the Federal Register (36 F.R. 23800)

which became effective upon publication.

Section 171.13 of the Customs Regulations provides that a petitioner holding a chattel mortgage or conditional sales contract covering seized property shall submit with his petition evidence showing whether prior to the financial transaction an inquiry of at least one enforcement agency in the locality where the purchaser most recently resided, or resided in the past year, was made as to the purchaser's criminal record and reputation for commercial crime, and a responsive reply received. However, pursuant to the aforementioned change in policy, it is no longer necessary for the petitioner to make inquiry as prescribed.

To conform the Customs Regulations, section 171.13, paragraph

(b) is amended as set forth below:

(b) Petitioner holding chattel mortgage or conditional sales contract. A petitioner holding a chattel mortgage or conditional sales contract covering the seized property shall submit with his petition evidence showing that:

(1) He has an interest in such property, as owner or otherwise,

which he acquired in good faith; and

(2) He had at no time any knowledge or reason to believe that the property was being or would be used in violation of Customs or other laws of the United States.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624) Because this amendment conforms with a change in policy previously published in the Federal Register, and because it relieves a restriction, notice and public procedure thereon are unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date: This amendment shall be effective upon publica-

tion in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved February 16, 1972:

EUGENE T. ROSSIDES.

Assistant Secretary of the Treasury.

[Published in the Federal Register February 26, 1972 (37 F.R. 4077)]

# (T.D. 72-68)

Security of cargo in unlading areas and clearance of containerized cargo

Customs Regulations Relating to Permission to Unlade and Establishment and Operation of Container Stations Prescribed: new sections 19.40 thru 19.49

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

On September 14, 1971, a notice of proposed rule making was published in the Federal Register (36 F.R. 18410) whose stated purpose was to:

- (1) Incorporate established procedures, instituted on a provisional basis, for transporting containerized cargo from the place of unlading to a designated container station for the purpose of breaking bulk and redelivering the cargo;
- (2) Make applicable to independent container station operators the procedures relating to the security of cargo in unlading areas contained in the aforementioned Treasury decision (T.D. 71-39).

Interested persons were given the opportunity to submit written comments, suggestions, or objections regarding the proposed regulations. After consideration of all such relevant matters as were presented, the proposed regulations, with a modification of section 19.40 to clarify at which places a container station may be established, are hereby adopted as set forth below.

Effective date: These amendments shall become effective 30 days following the date of their publication in the Federal Register.

(254)

MYLES J. AMBROSE, Commissioner of Customs.

Approved February 17, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register February 29, 1972 (37 F.R. 4186)]

PART 19—CUSTOMS WAREHOUSES, CONTAINER STATIONS, AND CONTROL OF MERCHANDISE THEREIN

- 1. The title of Part 19 is amended to read as set forth above.
- 2. Part 19 is amended by adding a new centerhead and §§ 19.40 through 19.49 to read as follows:

#### CONTAINER STATIONS

§ 19.40 Establishment of container stations.—A container station, independent of the importing carrier, may be established at any port or portion of a port, or any other area under the jurisdiction of a district director upon the filing of an application therefor and its approval by the district director and the posting, in the sum of

\$25,000 or such larger amount as the district director shall determine, of a bond in the following format:

Port	of	drawniad	DINS (II
Times		No.	THORMAN

#### BUREAU OF CUSTOMS

BUREAU OF CUSTOMS	
CONTAINERIZED CARGO BOND (TERM)	
Know All Men By These Presents:  That: 1, of, as principal, as of, of	
as sureties, are held and firmly bound unto the United States America, in the sum of dollars (\$), for payment of whe bind ourselves, our heirs, executors, administrators, success and assigns, jointly and severally, firmly by these presents.	of nich ors
Witness our hands and seals this day of, 19 Whereas, the above-bounden principal has requested, or will requested permission to remove imported containers, truck trailers, lift or vehicles (hereinafter referred to as containers) containing a chandise or baggage (hereinafter referred to as merchandise) f	ans
the place of unlading from an importing vessel, vehicle or airc of the, for transportation to the	raft ter-
minal(s) at for a period beginning on the of, 19, and ending on the day of, 19, I days inclusive; and	
Whereas, the above-bounden principal has requested, or will requ	nest

Whereas, the above-bounden principal has requested, or will request, the assignment of Customs officers or employees to overtime duty at night or on Sunday or a holiday pursuant to the provisions of the Tariff Act of 1930, as amended, the Act of February 13, 1911, as amended, or any other act, or acts and regulations relating thereto, in effect at the time of such duty, on behalf of the herein referred to containers, and the merchandise therein;

Now, Therefore, the Condition of This Obligation is Such That-

(1) If the above-bounden principal shall pay such sums as are chargeable under law and regulations for any services as may be performed for said containers and the merchandise therein by Cus-

<sup>&</sup>lt;sup>1</sup> If the principal or surety is a corporation, the name of the State in which incorporated also shall be shown.

T.D. 72-681

toms officers or employees and shall promptly pay any duties, charges, exactions, penalties, or other sums found legally due the United States by said principal on account of said containers and the merchandise therein:

(2) And if the above-bounden principal shall exonerate and hold harmless the United States and its officers from, or on account of, any risk, loss, or expense of any kind or description which might occur or be occasioned by reason of the granting of any special license to discharge or take on such merchandise in said containers at night or on Sunday or holidays, as well as from any loss or damage resulting from fraud or negligence on the part of any officer, agent, or other person employed by the above-bounden principal, by reason of the granting of any special license;

(3) And if the principal shall make prompt report of arrival of the containers and the merchandise therein by delivery of the manifests, and permit to transfer, to the district director or other proper customs officer to whom the containers and the merchandise therein are consigned in said manifest or permit to transfer, or by other notice

satisfactory to the district director:

(4) And if the said principal shall, in the event of failure to comply with any or all of the conditions referred to in this instrument, pay to the United States as liquidated damages an amount equal to the value of the nondutiable merchandise with respect to which there shall have been default, the damages on any one shipment not to exceed \$500, and shall pay an amount equal to the duties on such dutiable merchandise as may be involved in the default (it being understood and agreed that the amount to be collected in either case shall be based upon the quantity and value of such merchandise in the containers as determined by the district director of Customs, and that the decision of the district director of Customs as to the status of such merchandise whether free or dutiable, together with the rate and amount of duty and tax, shall also be binding on all parties to this obligation; it is further understood and agreed that liability under this instrument attaches for all shortages whether discovered before or after the filing of any form of entry); provided that when delivery shall have been made of any dutiable merchandise in the containers to the ultimate consignee, owner, or other person without permit or release having been issued by the district director or other proper officer of the Customs, the principal shall pay, in addition to the duties on such merchandise a sum equal to 25 per centum of the duties on the merchandise so delivered; and shall pay any internal revenue taxes or other taxes accruing to the United States on the merchandise which is the subject of the default together with all costs, charges, penalties, and expenses caused by the failure to comply with the conditions of this obligation;

(5) And if pursuant to proper permit by the district director of Customs the above-bounden principal shall remove imported containers from the place of unlading from importing vessels, vehicles, or aircraft and land, place, or store any merchandise in the containers in the above-mentioned terminal(s) of the principal or on lighters, piers, landing places, or spaces adjoining thereto, or such other places permitted by the district director on special request made by the principal hereon, and shall retain such merchandise in the containers at such places until a permit for the removal thereof is granted, and, in the event that any such merchandise in the containers shall be removed therefrom before proper permits have been issued, shall pay all duties, taxes, charges, and exactions accruing on any part of the merchandise in the containers so removed; or in the event the merchandise in the containers so removed is free of duty, shall pay as liquidated damages an amount equal to the value of such merchandise contained in the containers, the damages on any one shipment not to exceed \$500 (it being understood and agreed that the amount to be collected in either case shall be based upon the quantity and value of such merchandise in the containers as determined by the district director, and that the decision of the district director as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties, taxes, charges, and exactions also shall be binding on all parties to this obligation; it is further understood and agreed that liability under this instrument attaches for all shortages whether discovered before or after the filing of any form of entry);

(6) And if the said principal shall pay the necessary expense of such seals, locks, and other proper fastenings as may be prescribed and required by the district director for securing the transportation and safekeeping or storage of such merchandise contained in the containers as may be placed in the custody of the principal, in such terminals, stations, buildings, rooms, warehouses, elevators, safes, trunks, pouches, or other things for, and places of keeping or storage, as may be authorized and used by the principal for that purpose;

Then this obligation to be void, otherwise to remain in full force and effect.

# Signed, sealed, and delivered in the presence of-

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	(Pri	ncipal)
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	(Name)	(Address)
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(Secs. 450, 499, 623, 46 Stat. 715 as amended; 19 U.S.C. 1450, 1499,		8, as amended, 759,
cion.—Containerized cargo may be a designated container station for or the permitting thereof (see cose of breaking bulk and redelive (See 1999, 19990	prior to the filing e § 15.8 of this chery of the cargo.	g of an entry there- napter) for the pur-
(Sec. 499, 46 Stat. 728, as amende	ea; 19 U.S.C. 148	19)
§ 19.42 Application for transfitation operator may file an applintact to the station. The applifollowing or substantially similar	cation for the tra	nsfer of a container
BUREAU	OF CUSTOMS	
APPLICATION AND PERMIT TO TRANSFER CO	NTAINERIZED CARGO	TO A CONTAINER STATION
	Date _	
Application is made to transfer the	mil or sell sell bear	r contents listed below
THE STREET STREET, SECTION AND ADDRESS OF THE PARTY OF TH	containers and the	
which arrived on o	n	at Pier
to the	,,	
	iner station)	

An abstract	of	the	carrier's	manifest	covering	the	containers	by	B/L	No.,
marks, number	8, C	onte	nts, consi	gnee, etc.,	is attache	ed he	ereto.			

			TAINERS BY MARKS		LY THE STATE OF
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-Pain ail	P another	1111	at structury sii he	the contribute is	miamm of nig
	y volume		10 7(1-24)	THERMITON THE	y kart and house
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Delivere	ed to	cartma	TRANSFER REC	ont of importing carries	01.01 F
Truck No.	Container	Date	Signature of inspector	Signature of cartman	Received signature container operator
	Wildows	* 1 To 10 TO	CLOSE BUTTERSON AND	Automobile Indian	Contract In commence

(Sec. 499, 46 Stat. 728, as amended; 19 U.S.C. 1499)

§ 19.43 Filing of application.—The application, listing the containers by marks and numbers, may be filed at the customhouse or with the discharging inspector at the place where the container is unladen, as designated by the district director.

(Sec. 499, 46 Stat. 728, as amended; 19 U.S.C. 1499)

§ 19.44 Importing carrier concurrence.—The importing carrier (who, with the operator, remains jointly and severally liable for the proper delivery of the merchandise until it is permitted in accordance with § 15.8 of this chapter) shall indicate its concurrence in the transfer of the merchandise either by signing the application for transfer or by physically turning the merchandise over to the operator. The importing carrier shall furnish an abstract manifest showing the bill of lading number, the marks and numbers of the container, and the usual manifest description for each shipment in the container. The importing carrier will be responsible for ascertaining that the

person to whom a container is delivered for transfer to the container station is an authorized representative of the operator.

(Sec. 448, 46 Stat. 714, as amended; 19 U.S.C. 1448)

§ 19.45 Transfer of merchandise, approval and method.—Approval of the application by the district director shall serve as a permit to transfer the container and its contents to the station. The merchandise may only be transferred to a container station by a bonded cartman or bonded carrier. The cartman or carrier shall receipt for the merchandise on both copies of the application.

(Secs. 551, 565, 46 Stat. 742, as amended, 747 as amended; 19 U.S.C. 1551, 1565)

§ 19.46 Employee lists.—A permit shall not be granted to an operator to transfer a container or containers to a container station, if the operator, within 30 calendar days after the date of receipt of a written demand by the district director, does not furnish a written list of names, addresses, social security numbers, and dates and places of birth of persons employed by him in connection with the movement. receipt, storage or delivery of imported merchandise. Having furnished such a list, no new permit shall be issued to an operator who has not within 10 calendar days after the employment of any new personnel employed in connection with the movement, receipt, storage, or delivery of imported merchandise advised the district director in writing of the names, addresses, social security numbers, and dates and places of birth of such new employees. The operator shall, within 10 calendar days, advise the district director if the employment of any employee is terminated. A person shall not be deemed to be employed by an operator if he is an officer or employee of an independent contractor engaged by the operator to move, receive, store, deliver, or otherwise handle imported merchandise.

(Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

§ 19.47 Security.—The space to be used for the purposes of breaking bulk and delivering cargo shall be properly secured against access by unauthorized persons, including persons not on the list of current employees furnished to the district director by the container station operator, the principal on the bond, as required by § 19.46. A suitable working and office space for the use of Customs officers and employees performing functions in the area shall also be provided.

(Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

§ 19.48 Withdrawal of privileges.—If discrepancies are discovered which indicate that the revenue may be endangered or there is a failure to retain or secure the designated examination packages, the privileges of a container station operator granted by this subpart may be revoked pursuant to the procedure stated in § 19.3(e).

(Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

§ 19.49 Entry of containerized merchandise.—Merchandise not entered within the lay order period, or extension thereof, shall be placed in general order. The importing carrier shall issue carrier's certificates for individual shipments in a container. Entries covering merchandise transferred to a container station shall clearly show that the merchandise is at the container station.

(Sec. 484, 46 Stat. 722, as amended; 19 U.S.C. 1484)

(R.S. 251, as amended, Secs. 555, 556, 624, 644, 46 Stat. 743, as amended, 759, 761; 19 U.S.C. 66, 1551, 1556, 1624, 1644)

# (T.D. 72-69)

Reimbursable services—Excess cost of preclearance operations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 23, 1972.

Notice is hereby given that pursuant to section 24.18(d), Customs Regulations (19 CFR 24.18(d)), the biweekly reimbursable excess costs for each preclearance installation are determined to be as set forth below and will be effective with the pay period beginning March 5, 1972.

Installation	Biweekly excess cost
Montreal, Canada	3,528
Toronto, Canada	5, 375
Kindley Field, Bermuda	1,931
Nassau, Bahama Islands	4,891
Vancouver, Canada	1,576
Winnipeg, Canada	740

(140.57)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register March 1, 1972 (37 F.R. 4299)]

## (T.D. 72-70)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., February 22, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Argentine peso:

For the period February 14 through February 18, 1972, rate of \$0.1996.

#### Denmark krone:

February 14, 1972	\$0.142850
February 15, 1972	. 1429
February 16, 1972	. 1431
February 17, 1972	. 143375
February 18, 1979	143350

# Hong Kong dollar: Official Free January 10, 1972 \$0. 1750 \$0. 175208\* January 11, 1972 .1745 .175208\* January 12, 1972 .1750 .175093\* January 13, 1972 .1745 .175208\* January 14, 1972 .1745 .175361\*

#### Iran rial:

January 31, 1972	\$0.0131
February 1, 1972	
February 2, 1972	
February 3, 1972	
February 4, 1972	. 0128

#### Philippine peso:

For the period January 31 through February 4, 1972, rate of \$0.1550.

#### Thailand baht (tical):

January 31, 1972	\$0.0478
February 1, 1972	
February 2, 1972	
February 3, 1972	
Fohruary 4 1979	0479

<sup>\*</sup>Certified as nominal rates.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-71)

Pantyhose

Restriction on importation

Department of the Treasury, Office of the Commissioner of Customs, Washington, D.C., February 28, 1972.

Pursuant to the direction of the President, dated February 17, 1972, the Bureau of Customs has notified all appropriate Customs officers that pursuant to section 337(f), Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), unlicensed U-shaped seamed pantyhose manufactured in accordance with the claims of U.S. Patent No. 2,826,760, Re. 25,360, held by Tights, Inc. of Greensboro, North Carolina, may not be entered or released from Customs custody except pursuant to a special bond in an amount equal to the domestic value of the merchandise. The filing of this special bond is in addition to all other entry requirements including the filing of an appropriate entry bond. The format and conditions of the special bond are set forth in T.D. 45474.

The restricted articles are those which embody the invention set out in U.S. Patent No. 2,826,760, Reissued Patent No. 25,360, described as follows:

A combination panty and stocking formed from circularly knit fabric comprising a pair of stockings of seamless knit construction having foot, leg and welt portions, said welt portions being knit of stretchable yarn and adapted to extend above the knee to the waist of the wearer, said welts each having a longitudinal slit intermediate the front and rear of the stocking, said first and second stockings being oriented to position the longitudinal slits adjacent each other, and a seam binding the corresponding front and rear edges formed by the longitudinal slits to form a U-shaped seam intermediate a single enlarged welt and defining the panty.

These articles are generally classified under item 382.78, TSUS.

(641)

LEONARD LEHMAN, Acting Commissioner of Customs.

[Published in the Federal Register March 3, 1972 (37 F.R. 4456)]

#### (T.D. 72-72)

#### Presidential Proclamation—Sheet glass

Presidential Proclamation No. 4102 continuing the increased duty rates on imports of sheet glass

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 1, 1972.

There is published below Presidential Proclamation 4102 of January 29, 1972, which continues until April 30, 1972, the increased rates originally scheduled to be reduced on January 31, 1972, on sheet glass provided for in items 923.31 through 923.75, Appendix to the Tariff Schedules of the United States.

(012)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

1. Whereas, pursuant to the authority vested in him by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended, the President, by Proclamations No. 2761A of December 16, 1947, No. 2929 of June 2, 1951, and No. 3140 of June 13, 1956 (61 Stat. (pt. 2) 1103, 65 Stat. c12, and 70 Stat. c33), proclaimed such modifications of existing duties as were found to be required or appropriate to carry out trade agreements into which he had entered;

2. Whereas among the proclaimed modifications were modifications in the rates of duty on glass of the kinds which are now provided for in items 542.11 through 542.98 of the Tariff Schedules of the United States (hereing from referred to a "chest class").

States (hereinafter referred to as "sheet glass");

3. WHEREAS, pursuant to section 351(a) (1) of the Trade Expansion Act of 1962 (hereinafter "TEA") (19 U.S.C. 1981(a) (1)) and in accordance with Article XIX of the General Agreement on Tariffs and Trade (hereinafter "GATT") (61 Stat. (pt. 5) A58; 8 UST (pt. 2) 1786), the President by Proclamation No. 3967 of February 27, 1970 (35 F.R. 3975), proclaimed increased duties on imports of sheet

glass in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States (hereinafter "TSUS") which duties are scheduled to be reduced on January 31, 1972;

4. Whereas, pursuant to section 301(b)(1) of the TEA (19 U.S.C. 1901(b)(1)) the Tariff Commission on August 16, 1971, instituted an investigation, the report to the President on which is to be made not later than January 31, 1972, to determine whether glass of the kinds provided for in items 541.11 through 541.31, 542.11 through 542.98, 543.11 through 543.69 and 544.31 through 544.32 of the TSUS are, as a result in major part of concessions granted thereon under

trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to the domestic industry producing like or directly competitive products;

5. Whereas, pursuant to section 351(c) (2) of the TEA (19 U.S.C. 1981(c) (2)), after taking into account advice received from the Tariff Commission under section 351(d) (3) of the TEA (19 U.S.C. 1981 (d) (3)) and after seeking advice of the Secretaries of Commerce and Labor, I have determined that the extension as hereinafter proclaimed of the increased duties currently in effect on imports of sheet glass provided for in items 923.31 through 923.75 of the TSUS from January 31, 1972 to April 30, 1972 is in the national interest;

Now, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under the authority vested in me by the Constitution and the statute, including section 351(c)(2) of the TEA, do

proclaim that-

1. The tariff concessions on sheet glass in Part I of Schedule XX to the GATT shall be modified in part as provided for in paragraph

2 below;

2. Effective with respect to items entered, or withdrawn from warehouse, for consumption during the period commencing on the date of this proclamation and terminating at the close of January 31, 1974, so much of Subpart A of Part 2 of the Appendix to the TSUS as follows item 922.50 and precedes item 924.00 is modified to read as set out in the annex to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this twentyninth day of January in the year of our Lord nineteen hundred and seventy-two, and of the Independence of the United States of America

the one hundred and ninety-sixth.

RICHARD NIXON.

		E	effective on and af	ter—
	higher minimum and supplied	Feb. 27, 1970	Apr. 30, 1972	Jan. 31, 1973
(Isine	Glass (including blown or drawn glass, but excluding cast or rolled glass and ex-	de estatem il	media mul	musipers.
	cluding pressed or molded glass) (wheth- er or not containing wire netting), in			
	rectangle, not ground, not polished and not otherwise processed, weighing over 16 oz. but not over 28 oz. per sq. ft.,			
	provided for in items 542.3135, inclusive, and 542.7175, inclusive, of			
	part 3B of schedule 5: Ordinary glass: Weighing over 16 oz. but not over			
923. 31	28 oz. per sq. ft.: Measuring not over 40 united inches (item 542.31).	1.1¢ per lb	1¢ per lb	0.9¢ per lb
923. 33	Measuring over 40 but not over 60 united inches (item 542.33).	1.5¢ per lb	1.3¢ per lb	1.1¢ per lb
923, 35	Measuring over 60 but not over 100 united inches (item 542.35). Colored or special glass: Weighing over 16 oz. but not over	1.5¢ per lb	1.4¢ per lb	1.3¢ per lb
923, 71	28 oz. per sq. ft.: Measuring not over 40 united	1 lé nor lh	1¢ per lb.	0.9é per lb.
	inches (item 542.71).	+2.5% ad val.	+2.5% ad val.	+2.5% ad val.
923. 73	Measuring over 40 but not over 60 united inches (item 542.73).	1.5¢ per lb. +2.5% ad val.	1.3¢ per lb. +2.5% ad val.	1.1¢ per lb. +2.5% ad val.
923. 75	Measuring over 60 but not over 100 united inches (item 542.75).		1.4¢ per lb. +2.5% ad val.	1.3¢ per lb.

#### (T.D. 72-73)

# General Headnote 3(a), TSUS

Tariff status of certain blankets imported from the Virgin Islands

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 1, 1972.

The Bureau has been asked on behalf of importers to rule on the applicability of General Headnote 3(a), Tariff Schedules of the United States (TSUS), to certain blankets imported from the Virgin Islands.

The following facts were submitted:

Piece goods of melton-type fabric consisting of 85 percent reprocessed wool and 15 percent man-made fibers will be shipped to the Virgin Islands. In the Virgin Islands, the fabric will be showerproofed and cut to blanket lengths. The ends of the fabric will be sewn or stitched to preyent the ends from fraying. An emblem will then be embroidered on the surface of the fabric. The completed blankets will then be folded, packaged, and exported to the United States.

The question presented to the Bureau is whether the operations described result in an article manufactured or produced in the Virgin Islands for the purposes of General Headnote 3(a) of the tariff schedules.

General Headnote 3(a) provides in part that articles imported from insular possessions of the United States which are outside the Customs territory of the United States are subject to duty with the exception "that all such articles the growth or product of any such possession, or manufactured or produced in any such possession from materials the growth, product, or manufacture of any such possession or of the customs territory of the United States, or both, which do not contain foreign materials to the value of more than 50 percent of their total value, coming to the customs territory of the United States directly from any such possession, \* \* \* are exempt from duty."

In T.D. 55376(3) (1961) the Bureau held that showerproofing in the Virgin Islands of imported woolen fabrics of foreign origin through a process whereby such piece goods were dipped into a solution containing certain commercial water repellent compounds, placed in a hydraulic quetch, placed on a tentering frame, dried in a flash dryer, induced into a tubing machine, rolled into bolts of 60 or 70 yards each and packed for export would result in articles manufactured or produced in the Virgin Islands within the meaning of section 301, Tariff Act of 1930, as amended (the predecessor to General Head-

note 3(a) of the present schedules). T.D. 55376(3) has always been limited by the Bureau to piece goods that were suitable for use in the manufacture of outer garments which are not frequently dry cleaned.

It is the opinion of the Bureau that blankets made by the cutting and binding operations described above are not articles manufactured or produced in the Virgin Islands. Further, the additional step of showerproofing the fabric either before or after the blankets are completed is not of such commercial significance so as to make these blankets articles manufactured or produced in the Virgin Islands.

Accordingly, the blankets in question are not entitled to duty-free

treatment under General Headnote 3(a), TSUS.

This ruling has been transmitted to the applicant on this date and is being published in the Customs Bulletin for the purpose of establishing a practice in accordance with section 16.10a(b) of the Customs Regulations (19 CFR 16.10a(b)).

(017.6)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### (T.D. 72-74)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 29, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Argentine peso:

For the period February 22 through February 25, 1972, rate of \$0.1996.

#### Denmark krone:

February 22, 1972	\$0.143150
February 23, 1972	. 1431
February 24, 1972	. 1431
February 25, 1972	. 143150

-0.3

Hong Kong dollar

Trong Itong donar.	Oprovae		2.00	
January 17, 1972	\$0.1760	Not	available	
January 18, 1972		(4)	9177. 66	Must mil
January 19, 1972	. 1740	66	66	
January 20, 1972	. 1775	***	"	
January 21, 1972	. 1770	46		
Iran rial:				
February 7, 1972			\$0.0128	
February 8, 1972		Estab reman	. 0128	
February 9, 1972		witten for collect	. 0128	
February 10, 1972	TO STORY	ricalism militar	. 0129	
February 11, 1972			. 0128	
Philippine peso:				
For the period Febru of \$0.1550.	ary 7 th	rough Febru	ary 11, 19	72, rate
Thailand baht (tical):				

February	7, 1972.	\$0.0479
February	8, 1972	. 0479
February	9, 1972	. 0479
	10, 1972	.0479
Feburary	11, 1972	.0480

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains,
Acting Commissioner of Customs.

Official Free

(T.D. 72–75)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 25, 1972.

The following are synopses of drawback rates and amendments issued January 31, 1971, to February 15, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(A) Aluminum and aluminum alloy products.-Manufactured un-

Anmaki.

der section 1313(b) by Reynolds Metals Co., Richmond, Va., at its several plants with the use of aluminum and aluminum alloy in various forms.

Rate effective on articles manufactured and exported on and after February 1, 1971.

The following Treasury decisions are hereby revoked:

50906-B	52496-A	53730-B
50906-A	52589-I	53730-D
51654-A	52621-A	53756-A
51663-A	$52627-\mathbf{E}$	53819-B
51723-A	52627-D	53839-A
51767-B	52692-A	53910-B
51767-A	52718-H	53910-C
51767-D	52737-A	53923-A
51767-C	52849-A	53950-A
51831-A	52849-K	53980-A
52135 - B	53237 - A	54464-A
52467-A	53237-H	54507-A

Manufacturer's statements of August 5, 1971, and January 3 and 26, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., February 9, 1972.

(B) Antibiotics and gelatin capsules.—T. D. 52031-B, as amended, authorizing the allowance of drawback on, among other things, antibiotics, known as Keflin and Keflordin, manufactured under the provisions of section 1313(b), title 19, United States Code, by Eli Lilly & Co., Indianapolis, Ind., at its Indianapolis, Lafayette, and Greenfield, Ind., factories, with the use of methionine feed grade, further amended to cover (1) additional antibiotics (MS 201, pulvule 402, tablet 1895, cephalexin monohydrate special, and cephalexin monohydrate for pulvules), manufactured under section 1313(a) by the company at its Indianapolis, Lafayette, Greenfield, and Clinton, Ind., factories, with the use of trichloroethanol; empty gelatin capsules, manufactured by the company under section 1313(b), at the stated factories, with the use of gelatin 230 and gelatin 260; additional antibiotics (MS 201, pulvule 402, tablet 1895, cephalexin monohydrate special, and cephalexin monohydrate for pulvules), manufactured by the company under section 1313(b), at the stated factories, with the use of penicillin V and with the use of penicillin V potassium.

Amendment effective on antibiotics produced with the use of trichloroethanol, which are manufactured and exported on and after November 1, 1969; on gelatin capsules, which are manufactured on and after January 1, 1969, and exported on and after July 1, 1969; on antibiotics produced with the use of penicillin V, which are manufactured and exported on and after May 1, 1969; and on antibiotics produced with the use of penicillin V potassium, which are manufactured on and after June 1, 1970, and exported on and after July 1, 1970.

Supplemental statements of October 29, 1970, April 13, and October 28, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., February 2, 1972.

(C) Barytes, ground.—Manufactured under section 1313(b) by IMC Drilling Mud, Inc., Houston, Tex., with the use of crude barytes ore.

Rate effective on articles manufactured on and after November 4, 1967, and exported on and after November 16, 1967.

Manufacturer's statements of June 14, 1971, and January 27, 1972, forwarded to Regional Commissioner of Customs, Houston, Tex., February 3, 1972.

(D) Brighteners, triazine.—Manufactured under section 1313(b) by American Cyanamid Co., Wayne, N.J., at its factories located at Willow Island, W. Va., and Marietta, Ohio, with the use of 4,4'-diaminostilbene-2,2'-disulfonic acid (DAS) and cyanuric chloride.

Rate effective on articles manufactured on and after September 1,

1966, and exported on and after March 31, 1967.

Manufacturer's statements of January 29, 1968, and March 5, 1970, forwarded to Regional Commissioner of Customs, New York, N.Y., February 14, 1972.

(E) Paints, ready-made.—Manufactured under section 1313(b) by Paragon Paint & Varnish Corp., Long Island City, N.Y., with the use of titanium dioxide.

Rate effective on articles manufactured and exported on and after December 10, 1971.

Manufacturer's statements of December 10, 1971, and January 19, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., January 31, 1972.

(F) Television sets, complete.—Manufactured under section 1313
 (b) by Philco-Ford Corp., Philadelphia, Pa., with the use of electronic parts.

Rate effective on articles manufactured on and after February 1,

1970, and exported on and after February 3, 1970.

Manufacturer's statements of May 1, 1970, and June 11, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., February 15, 1972.

# (T.D. 72-76)

#### Bonded carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 3, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of cus- toms; amount
Chotin Transportation, Inc., 225 Baronne St., New Orleans, La., water carrier; Insurance Co. of North America	Dec. 30, 1966	Dec. 30, 1966	New Orleans, La.; \$50,000
D 1/31/72 Commercial Truck Co., Ltd., 230 Brunette St., New Westminster, B.C., Canada, motor carrier; Peerless Ins. Co. (PB 1/13/70) D 1/10/72 1	Jan. 10, 1972	Jan. 10, 1972	Seattle, Wash.; \$25,000
Crescent Motor Lines, Inc., P.O.B. 2107, Spartanburg, S.C., motor carrier; Home Ins. Co.	Feb. 21, 1972	Feb. 23, 1972	Charleston, S.C.; \$25,000
Eagle Truck Lines, Inc., 1819 S. Soto St., Los Angeles, Calif., motor carrier; Pacific Employers Ins. Co.	Jan. 14, 1972	Feb. 3, 1972	Los Angeles, Calif.; \$25,000
Golden West Freight Lines, Inc., 1300 Roberts Lane, Bakersfield, Calif., motor carrier; Mid-Century Ins. Co.	Dec. 13, 1971	Jan. 11,1972	San Francisco, Calif.; \$25,000
Intermountain Fast Freight, 1426 E. 4th St., Los Angeles, Calif., motor carrier; Transport Indemnity Co.	Jan. 7,1972	Feb. 4, 1972	Los Angeles, Calif.; \$25,000
Marine Terminals, Inc., 1040 Biscayne Blvd., Miami, Fla., motor carrier; General Ins. Co. of America	Jan. 20, 1972	Feb. 7, 1972	Miami, Fla.; \$50,000
Howard Martin, Inc., 3101 New Haven Ave., Fort Wayne, Ind., motor carrier; U.S. Fidelity & Guaranty Co.	Jan. 14, 1972	Feb. 4, 1972	Cleveland, Ohio; \$35,000
Merchants Trucking Co., Inc., 1234 Cary St., Norfolk, Va., motor carrier; Federal Ins. Co. D 8/19/68	Feb. 15, 1961	Feb. 28, 1961	Norfolk, Va.; \$10,000
Mushroom Transportation Co., Inc., 845 E. Hunting Park Ave., Philadelphia, Pa.; motor carrier; Newark Ins. Co.	Jan. 29, 1972	Jan. 29, 1972	Philadelphia, Pa.; \$25,000
(PB 1/29/70) D 1/29/72 <sup>3</sup> Northernair Freight Service Inc., 12 Home Ave., Burlington, Vt., motor carrier; Fidelity & Deposit Co. of Md.	Jan. 17, 1972	Jan. 28, 1972	St. Albans, Vt.; \$25,000
Over-Nite Service, Inc., 3660 W. State St., Rockford, Ill., motor carrier; American Ins. Co.	Sept. 1, 1971	Feb. 8, 1972	Chicago, Ill.; \$35,000

See footnotes at end of table,

Name of principal and surety	Date of bond	Date of approval	Filed with district director of cus- toms; amount
William L. Rigdon dba Rigdon Trucking, 2023 48th St., Longview, Wash., motor carrier; St. Paul Fire & Marine Ins. Co.	Feb. 13, 1972	Feb. 17, 1972	Portland, Oreg.; \$25,000
Scott Truck Line, Inc., 2950 Blake St., Denver, Colo., motor carrier; Transport Indemnity Co.	Sept. 8, 1971	Jan. 31, 1972	Chicago, Ill.; \$25,000
Aaron Smith Trucking Co., Inc., Dudley, N.C., motor carrier; Federal Ins. Co. 269	Feb. 11, 1972	Feb. 18, 1972	Wilmington, N.C. \$25,000
Theatres Service Co., 830 Willoughby Way, N.E., Atlanta, Ga., motor carrier; Fidelity & Deposit Co. of Md. (PB 2/1/69) D 11/15/71 <sup>3</sup>	Nov. 15, 1971	Nov. 15, 1971	Savannah, Ga.; \$25,000
Watkins Motor Lines, Inc., 1120 W. Griffin Rd., Lakeland, Fla., motor carrier; St. Paul Fire & Marine Ins. Co.	Nov. 30, 1971	Feb. 10, 1972	Tampa, Fla.; \$50,000
Robert S. Withers, 6045 Vine Vale, Maywood, Calif., motor carrier; St. Paul Fire & Marine Ins. Co.	Dec. 15, 1971	Jan. 28, 1972	Nogales, Ariz.; \$25,000
	STATE WATER WITH	THE RESERVE TO STREET	THE RESERVE TO STATE OF THE PARTY OF THE PAR

<sup>1</sup> Surety is Reliance Ins. Co.

(241.2)

LEONARD LEHMAN,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-77)

Antidumping-Ice cream sandwich wafers from Canada

The Secretary of the Treasury makes public a finding of dumping with respect to ice cream sandwich wafers from Canada. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., February 25, 1972.

# TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that ice cream sandwich wafers from Canada are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of November 3, 1971 (36 F.R. 21084, F.R. Doc. 71–16137)).

<sup>&</sup>lt;sup>2</sup> Surety is The Home Indemnity Co.
<sup>3</sup> Surety is Liberty Mutual Ins. Co.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on February 1, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of February 5, 1972 (37 F.R. 2817, F.R. Doc. 72-1740)).

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with

respect to ice cream sandwich wafers from Canada.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.
Ice Cream Sandwich Wafers Canada 72-77

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[Published in the Federal Register March 14, 1972 (37 F.R. 5293)]

(T.D. 72-78)

Bonds.

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 8, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with area di- rector of customs; amount
Luftverkehrsunternehmen Atlantis G.M.B.H. (A German Corp.), 745 5th Ave., New York, N.Y.; St. Paul Fire & Marine Ins. Co. (PB 12/24/68) D 2/16/72 1	Feb. 15, 1972	Feb. 18, 1972	New York Seaport; \$100,000

<sup>1</sup> Surety is American Casualty Co.

The foregoing principal has not been designated as a carrier of bonded merchandise. (232.1) Thin he boodded in a rule to make the real stilles

Leonard Lehman,
Acting Assistant Commissioner, Office of Regulations and Rulings.

1979 (87 F.E. 2817, F.R. Doc . 3-1140

# eildag ollangsderad I grac (T.D. 72-79) alleges old to flague of

Foreign currencies-Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., March 7, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

# Argentine peso:

For the period February 28 through March 3, 1972, no rate

-	-	-	
Den	mark	krone	٠

February 28, 1972.		
February 29, 1972.		.143150
March 1, 1972		. 1433
March 2, 1972		
March 3, 1972		. 1433
Hong Kong dollar:	Official	Free
January 24, 1972_	\$0. 1775	\$0.177226*
January 25, 1972_	.1770	. 177619*
January 26, 1972_	.1770	.178015*
January 27, 1972_	. 1765	. 178094*
January 28, 1972_	.1775	. 178094*
Iran rial:		
February 14, 1972		\$0.0128
February 16, 1972		.0128
February 17, 1972		. 0130

<sup>\*</sup>Certified as nominal rate.

Philippine peso: while a standard of bottom was program & (4) is

For the period February 14 through February 18, 1972, rate energy of \$0.1550. which have reben being being being

Thailand baht (tical): 10 .00 guillion slooping and ....

February 14, 1972	\$0.0479
February 15, 1972	.0479
February 16, 1972	
February 17, 1972	.0480
February 18, 1972	

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4). (342.211)

EDWIN F. RAINS, Acting Commissioner of Customs. into (sening) leading and a sening consession of the other

(T.D. 72-80)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY, Office of the Commissioner of Customs, Washington, D.C., March 3, 1972.

The following are synopses of drawback rates and amendments issued February 16, to February 24, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN, Acting Assistant Commissioner. Office of Regulations and Rulings.

(A) Achromycin products.—T.D. 54160-B, as amended by T.D. 54993-E, and T.D. 55580-C, covering, among other things, aureomycin capsules manufactured by American Cyanamid Co., Wayne, N.J., at Pearl River, N.Y., factory, under section 1313(b) with the use of chlortetracycline, further amended to cover the manufacture of achromycin products by the company at such factory under section 1313(b) with the use of tetracycline hydrochloride.

Amendment effective on articles manufactured and exported on and after December 1, 1970.

Supplemental statement of December 21, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., February 23, 1972.

(B) Beverages, carbonated; fountain syrups.—T.D. 53839-B, as amended by T.D.'s 54956-A and 55626-A, covering carbonated beverages manufactured under section 1313(b) by New Century Beverage Co., dba Pesi-Cola Bottling Co. of San Francisco, San Francisco, Calif., at its Emeryville, Calif., factory with the use of liquid refined invert sugar, further amended to cover carbonated beverages and fountain syrups manufactured under section 1313(b) by the said company at its factories located at San Francisco, Sunnyvale, and Santa Rosa, Calif., with the use of liquid refined invert sugar.

Amendment effective on articles manufactured and exported on and

after January 1, 1969.

Supplemental statement of January 13, 1970, forwarded to Regional Commissioner of Customs, San Francisco, Calif., February 18, 1972.

(C) Internal combustion engines and generator assemblies.—T.D. 68-210-D, covering compression ignition engines (diesel engines) and gasoline spark ignition engines and parts for automotive, industrial, agricultural, construction and marine purposes manufactured under section 1313(b) by Cummins Engine Co., Inc., Columbus, Ind., with the use of component parts amended to cover (1) the manufacture by the company of generating equipment consisting of various engines and generator assemblies with the use of component parts under section 1313(b), (2) the use of additional internal combustion engine parts and component and generating equipment parts, and (3) a change in the basis of liquidation.

Amendment effective on articles manufactured on and after Aug-

ust 1, 1966, and exported on and after September 6, 1966.

Manufacturer's supplemental statement of October 14, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., February 16, 1972.

(D) Lemon juice, concentrated; lemon oil; and pectin.—Manufactured under section 1313(b) by Sunkist Growers, Inc., Lemon Products Div., Corona, Calif., with the use of concentrated lemon juice, lemon oil and pectin, respectively, in bulk.

Rate effective on articles manufactured and exported on and after

September 2, 1970.

Manufacturer's statement of February 8, 1972, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., February 24, 1972.

(E) Malathion.—T.D. 55550-P, covering, among other things, the foregoing products manufactured under section 1313(b), by American Cyanamid Co., Wayne, N.J., at its Warners, N.J., factory with the use of diethyl maleate; amended to cover malathion manufactured by the

company at its Warner plant, Linden, N.J., under section 1313(b) with the use of methanol.

Amendment effective on articles manufactured and exported on and after March 20, 1969.

Supplemental statement of November 30, 1970, forwarded to Regional Commissioner of Customs, New York, N.Y., February 17, 1972.

(F) Steel products.—T.D. 45055-C, as amended by T.D.'s 51046-D, 52991-H and 53323-L, covering among other things, steel products manufactured under section 1313(b) by United States Steel Corp., Tennessee Coal and Iron Div., Pittsburgh, Pa., at its Fairfield, Ala., factory with the use of manganese ore and ferromanganese, further amended to cover steel products manufactured under section 1313(b) by the said company at its Fairfield, Ala., and Fairless Hills, Pa., factories with the use of ferromanganese.

Amendment effective on articles manufactured on and after July 1,

1968, and exported on and after January 1, 1969.

Supplemental statements of July 23, 1971, and October 28, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., February 23, 1972.

# (T.D. 72-81)

Special classes of merchandise-Switchblade knives

Section 12.103, Customs Regulations, relating to the custody of selzed switchblade knives, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 12-SPECIAL CLASSES OF MERCHANDISE

On September 23, 1971, regulations governing the importation of articles subject to the so-called Switchblade Knife Act, section 1-4, 72 Stat. 562 (15 U.S.C. 1241-1244), were published in the Federal Register (36 F.R. 18859), to become effective 30 days after date of publication.

Section 12.103 of these regulations provides in the final sentence that a Customs investigating agent may hold seized switchblade knives intact pending disposition of a case. However, in accordance with sections 1602 and 1605, title 19, United States Code, it is established procedure that seized merchandise is delivered to and remains in the custody of the district director of Customs for the district in which seizure was made to await lawful disposition.

To conform the Customs Regulations, the final sentence of section 12.103 is hereby amended to read:

"The district director of Customs shall hold the seized switchblade knives intact pending disposition of the case."

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)
Because this amendment conforms the regulations to the statutory requirements for custody of seized merchandise, notice and public procedure thereon are unnecessary, and good cause exists for dispensing with a delayed effective date, under the provisions of 5 U.S.C. 553.

Effective date. This amendment shall be effective upon publication in the Federal Register.

(639)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved March 7, 1972:
EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register March 15, 1972 (37 F.R. 5364)]

(T.D. 72–82)

Fish—Tariff rate quota

The tariff-rate quota for the calendar year 1972, on certain fish dutiable under item 110.50, Tariff Schedules of the United States

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 9, 1972.

In accordance with item 110.50 of part 3, schedule 1, Tariff Schedules of the United States, it has been ascertained that the average aggregate apparent annual consumption in the United States of fish, fresh, chilled or frozen, fillets, steaks, and sticks, of cod, cusk, haddock, hake, pollock, and rosefish, in the three years preceding 1972, calcu-

lated in the manner provided for in headnote 1, part 3A, schedule 1, was 212,213,089 pounds. The quantity of fish that may be imported for consumption during the calendar year 1972 at the reduced rate of duty under item 110.50 is, therefore, 31,831,963 pounds. (343.3)

in section ads shall be followed

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register March 15, 1972 (37 F.R. 5398)]

(T.D. 72-83)

Sampling and assaying ores and crude metals—Customs Regulations amended

Section 8.46, Customs Regulations, concerning the sampling and assaying of ores and crude metals, amended

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

On July 28, 1971, notice of a proposal to prescribe a simplified procedure for determining the quantity of dutiable metals contained in ores and other metal-bearing materials entered under item 601.66, Tariff Schedules of the United States, was published in the Federal Register (36 F.R. 13928). Interested persons were given an opportunity to submit relevant data, views, or arguments in writing regarding the proposed change.

No comments have been received and the proposal is hereby adopted

without change as follows:

In section 8.46, paragraph (a) is revised, and a new paragraph (c) is added to read as follows:

8.46 Entry and sampling of ores and crude metals not for smelting in bond.—(a) Except as provided in paragraph (c) of this section, when ores or crude metals are entered for consumption or warehousing at the port of first arrival, they shall be sampled for assay and moisture purpose in accordance with commercial methods under the supervision of Customs officers, as provided for in section 8.48. They shall be transported under bond to the place of sampling if proper sampling facilities are not available at the port of entry.

(c) When, on the basis of invoice information, the nature of the sample, knowledge of prior importations of similar materials, and other data, the district director is satisfied that ores or other metal-bearing materials entered under item 601.66 of the Tariff Schedules of the United States as containing less than one percent of metals dutiable under item 602.10, 602.20, 602.28, or 602.30, Tariff Schedules of the United States, are properly entered, he may liquidate the entry on the basis of the assay information contained in the invoice papers. However, the procedure prescribed in section 8.48 shall be followed at random intervals for verification purposes.

(R.S. 251, as amended, secs. 499, 500, 624, 46 Stat. 728, as amended,

729, as amended, 759; 19 U.S.C. 66, 1499, 1500, 1624.)

Because this amendment authorizes an exemption and simplifies Customs requirements, good cause is found for dispensing with the delayed effective date requirement of 5 U.S.C. 553(d).

Effective date. This amendment shall become effective on the date

of its publication in the Federal Register.

(344.4)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved March 7, 1972:

EUGENE T. ROSSIDES.

Assistant Secretary of the Treasury.

[Published in the Federal Register March 15, 1972 (37 F.R. 5364)]

(T.D. 72-84)

Bonded carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 13, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Groome Transportation, Inc., Byrd International Airport, Sandston, Va., motor carrier; The Aetna Casualty & Surety Co.	Jan. 13, 1972	Feb. 22, 1972	Norfolk, Va.; \$25,000
Kent Cartage, Inc., 456 Hopkins St., Buffalo, N.Y., motor carrier; U.S. Treasury Note in lieu of Surety	June 22,1971	Feb. 23, 1972	Buffalo, N.Y.; \$10,000
M & P Transport (Western) Ltd., P.O.B. 2299, Ed- monton, Alberta, Canada, motor carrier; American Employers' Ins. Co. D 2/28/72	Dec. 1, 1968	Feb. 8, 1969	Seattle, Wash.; \$25,000
McKinlay Transport, Ltd., Highway 401 at Highway 25, Milton, Ontario, Canada, motor carrier; St. Paul Fire & Marine Ins. Co.	Dec. 1, 1971	Feb. 25, 1972	Detroit, Mich.; \$25,000
Meat Dispatch, Inc., 1000 Jefferson Rd., Rochester, N.Y., motor carrier; The Home Indemnity Co.	Oct. 18, 1971	Feb. 23, 1972	Buffalo, N.Y.; \$25,000
Reisch Trucking & Transportation Co., Inc., 819 Union Ave., Pennsauken, N.J., motor carrier; Gen- eral Ins. Co. of America	Feb. 4, 1972	Feb. 28, 1972	Philadelphia, Pa.; \$50,000
Spear Enterprises Inc., dba United Truck Lincs, 675 Arthur Ave., San Francisco, Calif., motor carrier; Mid-Century Ins. Co. (PB 5/15/68) D 10/1/71	Oct. 1, 1971	Oct. 1, 1971	San Francisco, Calif.; \$25,000
United States Lines Inc., One Broadway, New York, N.Y., water carrier; New Hampshire Ins. Co. (PB 1/3/71) D 2/17/72 2	Jan. 18, 1972	Feb. 28, 1972	New York Seaport; \$100.000
Western Provisions, Inc., 4301 Downey Rd., Vernon, Calif., motor carrier; Fireman's Fund Ins. Co. (PB 5/7/68) D 2/25/72 3	Dec. 7, 1970	Feb. 14, 1972	Nogales, Ariz.; \$25,000

<sup>&</sup>lt;sup>1</sup> Surety is Seaboard Surety Co.

(241.2)

LEONARD LEHMAN, Acting Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-85)

Foreign currencies-Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., March 14, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

<sup>2</sup> Surety is Insurance Co. of North America.

<sup>3</sup> Surety is Western Surety Co. Principal is John C. Whittaker Co.

Argentine peso:	the informs		
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For the period March 6 through March 10, 1972, no rate certified.

#### Denmark krone:

March 6, 1972	\$0.143350
March 7, 1972	. 1436
March 8, 1972	. 1436
March 9, 1972	. 144250
March 10, 1972	. 1440

Hong Kong dollar:	Official	Free
January 31, 1972	\$0.1775	\$0.178173*
February 1, 1972	. 1775	. 178412*
February 2, 1972	. 1775	.178731*
February 3, 1972	. 1775	. 179211*
February 4, 1972	. 1780	.179051*

#### Iran rial:

February	21,	1972	Holiday
February	22,	1972	\$0.0133
February	23,	1972	. 0132
February	24,	1972	. 0132
February	95	1979	0133

#### Philippine peso:

February 21, 1972...... Holiday For the period February 22 through February 25, 1972, rate of \$0.1550.

#### Thailand baht (tical):

STATES MANIE	100		
February	21,	1972	Holiday
February	22,	1972	\$0.0479
February	23,	1972	. 0478
February	24,	1972	. 0479
February	25,	1972	. 0479

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

<sup>\*</sup>Certified as nominal rate

#### (T.D. 72-86)

#### Bonds.

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 20, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
The Cunard Steamship Co., Ltd. (A foreign Corp. of Great Britain), 555 Fifth Ave., New York, N.Y.; Employers Commercial Union Ins. Co. (PB 118/82) D 3/6/72	Feb. 10, 1972	March 6, 1972	New York Sea- port; \$10,000
Denton Shipping Corp., 853 Biscayne Blvd., Miami, Fla.; U.S. Fidelity & Guaranty Co. D 2/3/72	Oct. 27, 1970	Oct. 27, 1970	Miami, Fla.; \$10,000
Madison Newspapers, Inc., 115 S. Carroll St., Madison, Wis.; Capitol Indemnity Corp.  (PB 1/24/64) D 1/24/72 <sup>2</sup>	Jan. 24, 1972	Feb. 14, 1972	Milwaukee, Wis.; \$10,000
Monsanto Co., & its wholly owned subsidiaries Mon- santo International Sales Co., & Monsanto Europe S.A., 800 N. Lindbergh Blvd., St. Louis, Mo.; St. Paul Fire & Marine Ins. Co. (PB 6/1/70) D 3/3/72.3	Jan. 5, 1972	Feb. 24, 1972	St. Louis, Mo.; \$10,000
Pacific & Arctic Railway & Navigation Co., 510 W. Hastings St., Vancouver, B.C., Canada; U.S. Fidelity & Guaranty Co.	Mar. 1, 1972	Mar. 6, 1972	Anchorage, Alas.; \$10,000
Richmond Transfer & Storage Co., 2114 MacDonald Ave., Richmond, Calif.; General Ins. Co. of Amer- ica	Jan. 20, 1972	Feb. 17, 1972	San Francisco, Calif.; \$10,000
Smith & Johnson (Shipping) Inc. (A N.Y. Corp.), 11 Broadway, New York, N.Y.; St. Paul Fire & Marine Ins. Co.	Mar. 6, 1972	Mar. 7, 1972	New York Seaport \$10,000

See footnotes at end of table.

Name of carrier and surety	Date of bond	Date of approval	Filed with district director/area director; amount  New York Seaport \$10,000
Transnuclear Inc. (A N.Y. Corp.), 919 Third Ave., New York, N.Y.; Peerless Ins. Co. (PB 3/6/70) D 3/6/72 4	Mar. 6, 1972	Mar. 6, 1972	

1 Surety is Federal Ins. Co.

<sup>2</sup> Surety is American Casualty Co. of Reading, Pa.

<sup>3</sup> Principal is Monsanto Co. Surety is American Ins. Co.

4 Surety is American Casualty Co.

(542.113)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

#### (T.D. 72-87)

Foreign currencies—Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., March 21, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Argentine peso:

For the period March 13 through March 17, 1972, no rate certified.

#### Denmark krone:

March 1	3, 1972	\$0.1441
March 1	4, 1972	. 143750
	5, 1972	
March 1	6, 1972	. 1440
March 1	7, 1972	. 1437

Hong Kong dollar:	Official	Free
February 7, 1972	\$0.1775	\$0.178810*
February 8, 1972	.1775	.178970*
February 9, 1972	. 1780	. 179051*
February 10, 1972	. 1780	. 179051*
February 11, 1972	. 1790	. 179131*
California and malifornia contract the		

#### Iran rial:

February 28, 1972	\$0.0132
February 29, 1972	. 0131
March 1, 1972	. 0131
March 2, 1972	. 0131
March 3, 1972	. 0132

#### Philippine peso:

For the period February 28 through March 3, 1972, rate of \$0.1550.

#### Thailand baht (tical):

For the period February 28 through March 3, 1972, rate of \$0.0479.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,
Acting Commissioner of Customs.

(T.D. 72-88)

#### Countervailing duties—Tomato products from Greece

Notice of countervailing duties to be imposed under section 303, Tariff Act of 1930, by reason of the payment or bestowal of a bounty or grant on exportation of tomato products from Greece

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 16-LIQUIDATION OF DUTIES

In the Federal Register of August 26, 1970 (35 F.R. 13586), the Commissioner of Customs announced that information had been re-

<sup>\*</sup>Certified as nominal rate.

T.D. 72-881

ceived in proper form pursuant to section 16.24(b) of the Customs Regulations (19 CFR 16.24(b)) which appeared to indicate that certain payments made by the Government of Greece on the exportation from Greece of tomato products constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303) upon the manufacture, production, or exportation of the merchandise to which the payments apply. The notice provided interested parties 30 days from the date of publication to submit data, views, or arguments with regard to the existence or nonexistence and the net amount of a bounty or grant.

An investigation was conducted pursuant to section 16.24(d) of the

Customs Regulations (19 CFR 16.24(d)).

After consideration of all information received, the Bureau is satisfied that exports of tomato products from Greece are subject to

bounties or grants within the meaning of section 303.

Accordingly, notice is hereby given that tomato products imported directly or indirectly from Greece, if entered for consumption or withdrawn from warehouse for consumption after the expiration of 30 days after publication of this notice in the Customs Bulletin, will be subject to the payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, the next amount of the bounties or grants under the information presently available have been ascertained and determined or estimated to be (1) from 800 drachmas to 2,500 drachmas per metric ton, depending on the concentration and packing, for tomato paste, (2) 330 drachmas per metric ton for peeled tomatoes, and (3) 330 drachmas per metric ton for tomato juice. Because information regarding the exact amount of the bounties or grants is incomplete, declarations of the net amount of the bounties or grants ascertained and determined or estimated to have been paid upon the exportation of tomato products from Greece will be published in subsequent issues of the Customs Bulletin.

Effective on the 31st day after the date of publication of the notice in the Customs Bulletin and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable tomato products imported directly or indirectly from Greece which benefit from such bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declarations.

The liquidation of all entries for consumption or withdrawals from warehouse for consumption of such dutiable tomato products imported directly or indirectly from Greece which benefit from such bounties or grants and are subject to the order shall be suspended pending declarations of the net amounts of the bounties or grants paid. A deposit of the estimated countervailing duty, in the appropriate amount, shall be required at the time of entry for consumption or withdrawal from warehouse for consumption.

Any merchandise subject to the terms of this order shall be deemed to have benefited from a bounty or grant if such bounty or grant has been or will be paid or credited, directly or indirectly, upon the manu-

facture, production, or exportation of such tomato products.

The table in section 16.24(f) of the Customs Regulations (19 CFR 16.24(f)) is amended by inserting the word "Greece" in the column headed "Country," the words "Tomato products" in the column headed "Commodity," the number of this Treasury Decision in the column headed "Treasury Decision," and the words "Bounty Declared—Rate" in the column headed "Action."

(R.S. 251, secs. 303, 624; 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624.)

(644)

Edwin F. Rains,
Acting Commissioner of Customs.

Approved March 21, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register March 28, 1972 (37 F.R. 6360)]

(T.D. 72–89)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Mexico

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 23, 1972.

There is published below the letter of February 29, 1972, received by the Commissioner of Customs from the Interagency Textile Administrative Committee, amending levels of restraint for certain categories of cotton textiles and cotton textile products, manufactured or produced in Mexico, contained in the President's Cabinet Textile Advisory Committee directives of June 29, July 30, August 23, and

September 24, 1971 (T.D.'s 71-184, 71-228, 71-246, and 71-265,

respectively).

This letter was published in the Federal Register on March 11, 1972 (37 F.R. 5267), by the Interagency Textile Administrative Committee.

(343.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

THE SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

February 29, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On June 29, July 30, August 23, and September 24, 1971, the Chairman of the President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Mexico and exported to the United States on or after May 1, 1971, in excess of designated levels of restraint. The Chairman further advised you that in the event that there were any adjustments 1 in the levels of restraint you would be so informed by letter from the Chairman of the Interagency Textile Administrative Committee.

Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraphs 5 and 15 of the bilateral cotton textile agreement of June 29, 1971, between the Governments of the United States and Mexico, in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, and under the terms of the aforementioned directives, the levels of restraint in those directives for cotton textiles and cotton textile

<sup>&</sup>lt;sup>1</sup>The term "adjustments" refers to those provisions of the bilateral cotton textile agreement of June 29, 1971, between the Governments of the United States and Mexico which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

products in the Categories set forth below, produced or manufactured in Mexico, for the period beginning May 1, 1971 and extending through April 30, 1972, are hereby amended as follows, to be effective as soon as possible:

The combined level of restraint for Categories 1, 2, 3, and 4 shall be 12,164,130 pounds.

The overall level of restraint for Categories 5 through 27 and part of 64 (knit fabrics) shall be 36,745,000 square yards equivalent.

Within the overall level of restraint for Categories 5 through 27 and part of 64 (knit fabrics), the following specific levels of restraint shall apply:

	Twelve-Month Level
Category	of Restraint *
9/10	12,262,500 sq. yds.
22/23	12,875,625 sq. yds.
26/27 and part of 64 (knit fabrics)	11,606,875 sq. yds. (but not more than 7,087,500 sq. yds. in Categories 26 and 27 shall be in duck 3 and not more than 656,250 sq. yds.
tion without some collection to the product of the tree to the tre	equivalent shall be in knit
	labrics, 1.S.U.S.A. Nos.
MENT OF THE TREASURY.	345.1020, 345.1040, 346.4560,
E CONSTRUCTOR OF CUSTOME.	353.5014, and 359.1040).

The overall level of restraint for Categories 28 through 63, and 64 (excluding knit fabrics) shall be 7,400,000 square yards equivalent.

Within the overall level of restraint for Category 28 through 63, and 64 (excluding knit fabrics), the following specific levels of restraint shall apply:

Category	Twelve-Month Level of Restraint *
31 1/2 no saterged Landboll of	2,946,629 no.
49 62	22,321 doz. 146,832 lbs.
64 (excluding knit fabrics)*	478,261 lbs. (of which not more than 391,304 lbs. shall be in zipper tapes
	T.S.U.S.A. Nos. 347.3340).

These levels have not been adjusted to reflect any entries on or after May 1, 1971. Only T.S.U.S.A. Nos. :

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08 322.—01 through 04, 06, 08 326.—01 through 04, 06, 08 327.—01 through 04, 06, 08 328.—01 through 04, 06, 08

<sup>&</sup>lt;sup>4</sup> All of Category 64, except T.S.U.S.A. Nos. 345.1020, 345.1040, 346.4560, 353.5014, and 359.1040.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee, and
Deputy Assistant Secretary
for Resources

- 140 to ring loss

(T.D. 72-90)

Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in the Polish People's Republic

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 23, 1972.

There is published below the directive of February 29, 1972, received by the Commissioner of Customs from the President's Cabinet Textile Advisory Committee concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in the Polish People's Republic.

This directive was published in the Federal Register on March 4, 1972 (37 F.R. 4755), by the Interagency Textile Administrative Com-

mittee.

(343.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

# THE SECRETABY OF COMMERCE WASHINGTON, D.C. 20230

#### PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

February 29, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of March 15, 1967, as amended, between the Governments of the United States and the Polish People's Republic, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective March 1, 1972, and for the twelve-month period extending through February 28, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Categories 19, 26, 28, 42, 43, 46, 53, 60, and 62, produced or manufactured in the Polish People's Republic, in excess of the following twelve-month levels of restraint:

Category			Twelve-Month Level of Restraint
19		l-marinets	1,102,500 sq. yds.
26			1,323,000 sq. yds.1
28	a Life Mark and		303,188 pieces
42			83,075 doz.
43			66,150 doz.
46			5,513 doz.
53			3,308 doz.
60	THE RESERVE		17,229 doz.
62			187,425 lbs.

<sup>1</sup> Of this amount, not more than 165,375 square yards may be in duck, T.S.U.S.A. Nos.:

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08 322.—01 through 04, 06, 08 322.—01 through 04, 06, 08 328.—01 through 04, 06, 08

In carrying out this directive, entries of cotton textile products in the above Categories, produced or manufactured in the Polish People's Republic, and which have been exported to the United States from the Polish People's Republic prior to March 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period March 1, 1971, through February 29, 1972. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of March 15, 1967, as amended, between the Governments of the United States and the Pollsh People's Republic, which provide in part that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Polish People's Republic, and with respect to imports of cotton textiles and cotton textile products from the Polish People's Republic, have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Peter G. Peterson, Secretary of Commerce Chairman, President's Cabinet Textile Advisory Committee (T.D. 72-91)

Antidumping—Diamond tips for phonograph needles from the United Kingdom

The Secretary of the Treasury makes public a finding of dumping with respect to diamond tips for phonograph needles from the United Kingdom. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., March 22, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that diamond tips for phonograph needles from the United Kingdom are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of November 20, 1971 (36 F.R. 22188, F.R. Doc. 71-17090).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on February 17, 1972, it notified the Secretary of the Treasury that an industry in the United States is being or is likely to be injured, or prevented from being established, by reason of the importation of diamond tips for phonograph needles from the United Kingdom, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of February 24, 1972 (37 F.R. 3932, F.R. Doc. 72–2688).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to diamond tips for phonograph needles from the United Kingdom. Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.

Diamond Tips for United Kingdom 72–91
Phonograph
Needles

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register April 1, 1972 (37 F.R. 6665)]

(T.D. 72-92)

Exemptions—Persons deemed nonresidents within meaning of Section 10.16(c), Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 27, 1972.

There is set forth below the operative portion of a ruling issued March 20, 1972. This ruling clarifies the exemptions from Customs duties and internal revenue taxes on imported merchandise which may be granted persons arriving in the United States who are deemed to be nonresidents under the provisions of section 10.16(c) of the Customs Regulations (19 CFR 10.16(c)). The ruling also describes procedures applicable to the processing of persons claiming this status. The Customs Regulations will be amended to incorporate this clarification.

(521.11)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

The Bureau has determined that a person who would otherwise be considered a "returning resident of the United States" may be classified as a "nonresident" upon entering the United States for a short visit before returning abroad, pursuant to section 10.16(c), Customs Regulations. The traveler claiming this status may import articles free of duty and internal revenue taxes under the provisions of items 812.10, 812.20, 812.25 and 812.30, Tariff Schedules of the United

States (TSUS), upon the condition that he will, except for gifts imported under item 812.25, and articles consumed during his visit, export all such articles upon his departure from the United States. The assertion of this status by the traveler will, of course, deny him any privileges afforded returning residents of the United States under items 813.10-813.40, TSUS.

Furthermore, where the Customs officer receiving the traveler's baggage declaration decides that protection of the revenue dictates such a course, such an arriving traveler will be required to list imported articles of substantial value, in duplicate on an appropriate form designated by the Customs officer, and to note thereon the expected duration of his visit. He must present one copy of the form to the inspecting officer, who will initial both copies. The duplicate copy will be retained by the traveler and presented to a Customs officer at the time the traveler departs the United States at the end of his visit.

Should any traveler who temporarily enters merchandise as a nonresident under the provisions of section 10.16(c), Customs Regulations, find that his circumstances have changed and that he will not return abroad, whether or not he has been required to list his importations, in duplicate, he must immediately report this information to the District Director of Customs at the port of his entry. The District Director will advise the traveler of the amount of duty and taxes due.

> LEONARD LEHMAN, Acting Commissioner of Customs.

[Published in the Federal Register April 4, 1972 (37 F.R. 6769)]

For she period Murch @ through March 19, 1972, avec at

## (T.D. 72-93)

Foreign currencies-Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., March 27, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Argentine peso:

For the period March 20 through March 24, 1972, no rate certified. If world sympostal woled badsildun at enall 496-798-74 11 (conduction for the Luphander of the 496-798-74

-80

March 20, 1972	\$0.1434
March 21, 1972	
March 22, 1972	1437
March 23, 1972	. 143550
March 24, 1972	.1434
ng Kong dollar: 10 notice official	asbireb Free
February 14, 1972 \$0.1790	\$0.17921
February 15, 19721790	No Rate
A TAKEN TANDESIAND PROPERTY AND ADDRESS OF THE PERSONNELLY	No Rate
February 17, 1972	No Rate
February 18, 19721790	. 179131
or temporarily enters merchaling	for an formation as a
March 6, 1972	\$0.0131
March 7, 1972	
March 8, 1972	. 0132
March 9, 1972 Valathenting Jaum	. 0132
March 10, 1972	.0133

Philippine peso:

For the period March 6 through March 10, 1972, rate of \$0.1550.

#### Thailand baht (tical):

March 6,	1972	\$0.0479
March 7,	1972	. 0478
March 8,	1972	. 0480
	1972	
March 10,	1972	.0479

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains,

Acting Commissioner of Customs.

#### 25 (T.D. 72-94)

SHINT OF THE TREASURY.

# Executive Order—Textile trade agreements

Establishment of the Committee for the Implementation of Textile Agreements

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 29, 1972.

There is published below Executive Order 11651 of March 3, 1972, establishing the Committee for the Implementation of Textile Agreements.

The Executive Order was published in the Federal Register on March 4, 1972 (37 F.R. 4699) of the property of the construction in the limited states of testines (2013)

(012)

(b) NAMHAL GRANOAL approved by the Committee, the Secretary

nottageleb setal betin I ed to a Acting Commissioner of Customs.

#### taken with respect to the implementation of textile trade agreements pursuant to this Order. The Secretary of State shall make such representations to foaguohvatihw. aht ding the presentation

## of diplomatic notes and other communications, as may be necessary to carry out this Order . sagnO syrrupax3 Sec. 3. Executive Order to divise of September 28, 1962, as Sec. 3. Executive Order No. 1105

# amended, and Executive Order **1391i** 1914 of April 7, 1965, are hereby superseded. Directives issued includer to the Commissioner of

#### ESTABLISHMENT OF THE COMMITTEE FOR THE IMPLEMENTATION OF and no noitesifding ari a Textile Agreements Tolato sint A Textile

By virtue of the authority vested in me by section 204 of the Agricultural Act of 1956 (76 Stat. 104), as amended (7 U.S.C. 1854), and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

Section 1. (a) The Committee for the Implementation of Textile Agreements (hereinafter referred to as the Committee), consisting of representatives of the Departments of State, the Treasury, Commerce, and Labor, with the representative of the Department of Commerce as Chairman, is hereby established to supervise the implementation of all textile trade agreements. It shall be located for administrative purposes in the Department of Commerce. The President's Special Representative for Trade Negotiations, or his designee, shall be a non-voting member of the Committee.

(b) Except as provided in subsection (c) of this section, the Chairman of the Committee, after notice to the representatives of the other member agencies, shall take such actions or shall recommend that appropriate officials or agencies of the United States take such actions as may be necessary to implement each such textile trade agreement: Provided, however, that if a majority of the voting members of the Committee have objected to such action within ten days of receipt of notice from the Chairman, such action shall not be taken except as may otherwise be authorized.

(c) To the extent authorized by the President and by such officials as the President may from time to time designate, the Committee shall take appropriate actions concerning textiles and textile products under Section 204 of the Agricultural Act of 1956, as amended, and Articles 3 and 6 of the Long Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, as extended, and with respect to any other matter affecting textile trade policy.

Sec. 2. (a) The Commissioner of Customs shall take such actions as the Committee, acting through its Chairman, shall recommend to carry out all agreements and arrangements entered into by the United States pursuant to Section 204 of the Agricultural Act of 1956, as amended, with respect to entry, or withdrawal from warehouse, for consumption in the United States of textiles and textile

products.

(b) Under instructions approved by the Committee, the Secretary of State shall designate the Chairman of the United States delegation to all negotiations and consultations with foreign governments undertaken with respect to the implementation of textile trade agreements pursuant to this Order. The Secretary of State shall make such representations to foreign governments, including the presentation of diplomatic notes and other communications, as may be necessary to carry out this Order.

Sec. 3. Executive Order No. 11052 of September 28, 1962, as amended, and Executive Order No. 11214 of April 7, 1965, are hereby superseded. Directives issued thereunder to the Commissioner of Customs shall remain in full force and effect in accordance with their

terms until modified pursuant to this Order.

Sec. 4. This Order shall be effective upon its publication in the Federal Register.

RICHARD NIXON.

THE WHITE HOUSE, State Depth of and to State to 108 notices for March 3, 1972. It is benefit ordered at a state being I aid to the benefit of the state of the st

mil , rousing I and , atale. (T.D. 72-95) I and the soviced resembler to

Instruments of international traffic

Certain steel cores designated as instruments of international traffic

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., March 30, 1972.

It has been established to the satisfaction of the Bureau that steel cores, 14 feet 6 inches in length by 11¼ inches in diameter and weighing 410 pounds, used for the transportation of felt paper, are substantial, suitable for and capable of repeated use, and used in significant numbers in international traffic.

Under the authority of section 10.41a(a)(1), Customs Regulations (19 CFR 1041a(a)(1)), I hereby designate the above-described steel cores as "instruments of international traffic" within the meaning of section 322(a), Tariff Act of 1930, as amended. These cores may be released under the procedures provided for in section 10.41a, Customs Regulations.

(542.112)

Leonard Lehman,

Acting Commissioner of Customs.

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# Classification of ornamental netting

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., March 31, 1972.

The Bureau has been requested to rule on the tariff classification of samples of embroidered allovers and galloons. Specific objection is made to the classification of those articles as lace under item 351.80. Tariff Schedules of the United States (TSUS).

The articles referred to as "galloons" are narrow open-worked fabrics with embroidered designs created by the application of schiffli embroidery on a pre-existing net base fabric. They have one scalloped and one straight edge, and are more accurately described, for tariff classification purposes, as edgings. The Summary of Tariff Information 1929 contains the following:

Edging is narrow lace or embroidery specially designed for trimming frills and parts of dresses. It is usually made with the upper edge straight and the lower one indented or scalloped. \* \* \* Galloon is a narrow fabric made of lace, embroidery, or braid. \* \* \* The distinguishing feature of a galloon which differentiates it from an edging or insertion is that both edges are scalloped or the whole fabric is of serpentine form. (at p. 2026)

The sample allover is made of organza which is subsequently embroidered and further ornamented with an embroidered motif in the form of a flower sewn on the base fabric.

The applicant states that the allovers and the edgings are being incorrectly classified as lace, in item 351.80, TSUS. It is contended that the allovers should be classifiable under the provision for ornamented fabrics, in the piece, and ornamented motifs, not specially provided for, in item 353.50, TSUS, and the edgings should be classifiable under the provisions for edgings, galloons, fringes, and other trimmings (except fabrics in the piece described in Parts 4B and 4C of Schedule 3, TSUS) whether in the piece or otherwise, in item 357.70, TSUS.

The arguments presented in support of such classifications assume that the articles are not lace. After full consideration of the matter, we agree with that assumption. Fairchild's Dictionary of Textiles defines lace as "An ornamental textile formed without the aid of ground fabric. It is an openwork fabric produced by a network of threads, twisted together, and sometimes knotted, to form patternns." The Summary of Tariff Information 1929 defines lace as an "ornamental network made by intertwisting threads to form a pattern" (p. 2025), and also states "Embroidery requires a foundation material, such as cloth or net \* \* \* in this essential it differs from lace

in which fabric and pattern are produced simultaneously from yarn" (at p. 2027). Accordingly, the Bureau has determined that it is an essential characteristic of lace that the design element is not worked

on a pre-existing ground.

In this connection, the United States Customs Court ruled in E. C. Carter & Son, Inc. v. United States, 38 Cust. Ct. 368, C.D. 1889 (1957), that certain netting made on a bobbinet-Jacquard machine, and ornamented with a preconceived inwrought design, was classifiable as lace. The netting and the ornamentation were made in a single operation in the case of the material before the court. However, the edgings and the allovers represented by the samples submitted to the Bureau in the instant case appear to have been made by adding embroidery to pre-existing ground net and organza fabrics, respectively, a process requiring more than a single operation. Accordingly, neither the edgings nor the allovers fall within the purview of the principle in the E. C. Carter & Son case.

Based on the foregoing, it is the position of the Bureau that the sample allover is classifiable under the provision for ornamented fabrics in item 353.50, TSUS. However, the sample edgings are not classifiable in item 357.70, TSUS, because that TSUS item description expressly excludes from its coverage fabrics in the piece described in Part 4B of Schedule 3, TSUS, which covers lace, netting, and ornamented fabrics. The sample edgings are within the class of merchandise described as ornamented nettings and are classifiable as such in item 352.10, TSUS, if in chief value of vegetable fibers, or,

if not, in item 352.20, TSUS, and all as ad add no awas rewell a to arred

This ruling has been transmitted to the applicant on this date and is being published in the Customs Bulletin for the purpose of establishing a practice in accordance with section 16.10a(b) of the Customs Regulations, (19 CFR 16.10a(b)). But apoint all sounds from the

(471.46) bloods surials and thun PUST 105.858 mail in 2001 believed Toute but carguirt smoother symple Leonard Lehman, religionless Assistant Commissioner Office of Regulations and Rulings.

The arguments presented 1 (76-27.0.T) such classifications assume that the articles are not have (76-27.0.T)

#### we agree with that assumption show bild's Dictionary of Teather

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605 tred. to form patternns."

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 4, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond

previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of pricipal and surety	Date of bond	Date of approval	Filed with area director of cus- toms; amount
Transportes Aeroes Portugueses S.A.R.L. of Lisbon, Portugal, d/b/a TAP Portuguese Air- ways in North America, 601 Fifth Ave., New York, N.Y.; The Home Indemnity Co.		March 15, 1972 the local and local a	J. F. Kennedy Airport; \$100,000
(FB 1/20/70) D 3/14/72   Seaboard World Airlines, Inc., Seaboard World Bldg., J. F. Kennedy Airport, Jamaica, N. Y.; Seaboard Surety Co.		March 14, 1972	Aimmonts

<sup>1</sup> Surety is St. Paul Fire & Marine Ins. Co. 019 A manufully of seriotost bies odt je

The foregoing principals have been designated as carriers of bonded merchandise. which are manufactured and experted on and after Jan

and on the articles covered by amendment (2) herein which are ported on , named Jorand Leonard Lehman, no better No. 7 . Samotsu O to unnissioner, om Assistant Commissioner, om A. Office of Regulations and Rulings.

(C) Aluminum Fraducts. T.D. 51810-B covering aluminum products manufactured under seq 80-27 D. T. Dy Hevere Copper & Brass

Inc., Rome, N.Y., at its factories located at Baltimore, Md., Chicago. munimule to se Synopses of Drawback decisions A mybloor I ... II

amended to cover such articles manufactured by the firm at its addi-DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., March 29, 1972.

The following are synopses of drawback rates and amendments issued February 25, 1971, to March 6, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approval under section 22.6, Customs Regulations. manufacture of the foregoing

man Chemical Co., Portland, Orc., with the use of imported brond nil octano, named dranoal or the manufacture, of the said products Assistant Commissioner, 2 yearstel, rathe han no harron Office of Regulations and Rulings.

(A) Formulation of 2.4 dichlorophenoxyacetic acids and combinations thereof .- T.D. 55046-D, as amended by T.D. 55807-J, covering

Amendment issued by Regional Commissioner of Customs.

the manufacture of the foregoing products under section 1313(a) by Chipman Chemical Co., Portland, Ore., with the use of imported monochloroacetic acid, further amended to cover the said articles manufactured by Rhodia, Inc., New York, N.Y., successor.

Amendment effective on articles exported on and after January 2, 1968.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 11, 1971.

(B) Airplanes, executive.—T.D. 55122-A, covering the foregoing articles manufactured under section 1313(a) by Grumman Aircraft Engineering Corp., Bethpage, N.Y., at its factory located at the same address with the use of imported airplane parts, amended (1) to cover such articles manufactured by the corporation at an additional factory located at Savannah, Ga., and (2) to cover such articles manufactured at the said factories by Grumman Aerospace Corp., Bethpage, N.Y., successor.

Amendment effective on articles covered by amendment (1) herein which are manufactured and exported on and after January 1, 1967, and on the articles covered by amendment (2) herein which are exported on and after June 30, 1969, the date of succession.

Amendment issued by the Regional Commissioner of Customs, New

York, N.Y., May 25, 1971.

(C) Aluminum Products.—T.D. 54840-B covering aluminum products manufactured under section 1313(b) by Revere Copper & Brass Inc., Rome, N.Y., at its factories located at Baltimore, Md., Chicago, Ill., Brooklyn, N.Y., and Newport, Ark., with the use of aluminum, amended to cover such articles manufactured by the firm at its additional factory located at Scottsboro, Ala.

Amendment effective on articles manufactured on and after March

1, 1968, and exported on and after March 15, 1968.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., July 21, 1971.

(D) Buctril, chemical formulation.—T.D. 67-98—C, covering the manufacture of the foregoing products under section 1313(a) by Chipman Chemical Co., Portland, Ore., with the use of imported bromoxynil octanoate, amended to cover the manufacture of the said products under section 1313(a) by Rhodia, Inc., successor.

Amendment effective on articles exported on and after January 2, 1968.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 11, 1971, and further clarified on May 11, 1971.

(E) Cold-rolled steel sheet, electrolytic tin plate, and galvanized steel sheet.—Manufactured under section 1313(b) by the Kaiser Steel Corporation, Oakland, Calif., at its Los Angeles and Fontana, Calif., factories with the use of hot-rolled and cold-rolled steel sheet in coil.

Rate effective on merchandise manufactured on and after January 1,

1971, and exported on and after May 12, 1971, well morrolled to be too

Manufacturer's statements of September 21, 1971, and December 29, 1971, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., March 6, 1972.

(F) Confectionery products.—T.D. 52375-B, as amended by T.D.'s 55898-D and 67-41-B, covering confectionery products manufactured by Peter Paul, Inc., Naugatuck, Conn., at its several factories, under section 1313(b) with the use of, among other things, granulated cane sugar and liquid cane sugar, and under section 1313(a) with the use of imported desiccated coconut meat, further amended to cover the foregoing products manufactured at the corporation's additional factory located at Chicago, Ill.

Amendment effective on articles manufactured and exported on and after July 1, 1968,

Amendment issued by Regional Commissioner of Customs, New York, N.Y., June 8, 1971.

(G) Diazinon, technical.—T.D. 67-130-E, as amended by T.D.'s 67-260-H, 68-248-Y, 69-218-H, 69-218-V, and letter of Regional Commissioner, New York, N.Y., dated June 25, 1971 (as yet unpublished), covering, among other things, dyes, epoxy resins, tetrabromobisphenol and plastic pipe manufactured under section 1313 (b) by Ciba-Geigy Corp., Ardsley, N.Y., at its Toms River, N.J.; El Dorado, Ark.; and Burkburnett, Tex., factories with the use of specified chemicals, further amended to cover technical diazinon manufactured under section 1313(b) by the said company at its McIntosh, Ala., factory with the use of 2-isopropyl-4-methyl-6-hydroxy-pyrimidine (oxypyrimidine).

Amendment effective on articles manufactured on and after Septem-

ber 15, 1969, and exported on and after October 21, 1970.

Manufacturer's supplemental statement of July 30, 1971, forwarded to Regional Commissioners of Customs, New York, N.Y.; Baltimore, Md.; and Boston, Mass., February 29, 1972.

(H) Dinners, skillet, and snack pack puddings.—T.D. 53749-B, as amended, covering, among other things, processed foods manufactured under section 1313(b) by Hunt-Wesson Foods, Inc., Fullerton, Calif.,

at its factories located at Hayward, Fullerton, Graton, and Oakdale, Calif.; Salem, Oreg.; Puyallup, Wash.; Albion, N.Y.; and Toledo, Ohio, with the use of hard refined sugar, liquid sugar, or both, further amended to cover skillet dinners and snack pack puddings manufactured under section 1313(b) by the said company at its factories located at Fullerton, Hayward, Graton, and Oakdale, Calif.; Salem, Oreg.; Puyallup, Wash.; Albion, N.Y.; and Toledo, Ohio, with the use of hard refined sugar, liquid sugar, or both.

Amendment effective on articles manufactured and exported on and

after December 1, 1970.

Manufacturer's supplemental statement of August 23, 1971, forwarded to Regional Commissioners of Customs, San Francisco, and Los Angeles, Calif., March 3, 1972.

(I) Dyestuffs, adjusted in strength.—T.D. 51986-C, as amended, covering, among other things, dyestuffs manufactured under section 1313(a) by Otto B. May, Inc., Newark, N.J., with the use of imported chemicals (dyestuff intermediates), further amended to cover dyestuffs, adjusted in strength, as set forth on page 2 of the supplemental statement of October 8, 1970, manufactured by the said corporation with the use of imported dyestuffs in presscake and paste form as set forth on page 2 of the same statement.

Amendment effective on articles manufactured and exported on and

after July 7, 1970.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., on February 25, 1971.

(J) Dyestuffs and intermediates.—T.D. 55742-B, as amended, covering certain dyestuffs and intermediates manufactured under section 1313(a) by Verona-Pharma Chemical Corp., Union, N.J., at its two Bayonne, N.J., factories with the use of certain imported dyestuff and dyestuff intermediates manufactured thereunder, further amended to cover a change in name of the company to Verona Corp.

Amendment effective on articles exported on and after August 1,

1969, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., April 15, 1971.

(K) Equipment, self-propelled earthmoving.—T.D. 68-230-G, covering the foregoing articles manufactured under section 1313 (a) by Melroe Co., Gwinner, N.D., with the use of imported diesel engines, amended to cover the said articles manufactured by Melroe Div., Clark Equipment Co., successor.

Amendment effective on articles exported on and after August 15,

1969.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., May 7, 1971.

(L) Emitine hydrochloride.—T.D. 68-87-H, covering emitine hydrochloride manufactured under section 1313(a) by Premium Chemicals, Inc., Oceanside, L.I., N.Y., with the use of imported ipecac extract, amended to cover the foregoing product manufactured by Bio-Derivatives Corp., Deer Park, N.Y., successor, and to provide for a change in location of the company's office and factory from Oceanside, L.I., N.Y., to Deer Park, N.Y.

Amendment effective on articles manufactured and exported on and

after July 15, 1969, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., May 17, 1971.

(M) Fruits, fruit cocktail, fruit salad, and fruit nectar, canned.—
T. D. 53937—E, as amended by T. D.'s 55378—B and 56500—F, covering the foregoing articles manufactured under section 1313(b) by USP Corp., San Jose, Calif., at its factories located at San Jose and Santa Clara, Calif., and Salem, Ore., with the use of hard refined sugar or liquid sugar, or both, and with the use of domestic dextrose as an ingredient upon which no drawback will be allowed through substitution or, otherwise, amended to cover such articles manufactured by the firm at its additional factory at Merced, Calif.

Amendment effective on articles manufactured on and after January

1, 1969, and exported on and after May 26, 1970, withinger shadwards

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., June 28, 1971.

(N) Insecticides and fungicides.—T. D. 50385-D, covering the foregoing products manufactured by Chipman Chemical Co., Bound Brook, N.J., under section 1313(b), with the use of copper sulfate, amended to cover such products manufactured under section 1313(b) by Rhodia, Inc., New York, N.Y., successor.

Amendment effective on articles exported on and after January 2,

1968

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 11, 1971.

(O) Piece goods, showerproofed.—Manufactured under section 1313 (a) by Atlas U. S. Cloth Sponging Corp., Brooklyn, N.Y., with the use of imported or drawback piece goods.

Rate effective on articles manufactured on and after June 2, 1970,

and exported on and after June 22, 1970.

Rate issued by Regional Commissioner of Customs, New York, N.Y., May 27, 1971.

(P) Plywood panels, finished printed.—Manufactured under section 1313 (a) by Hearin Products, Inc., Portland, Ore., at its factory located at Beaverton, Ore., with the use of imported hardwood plywood panels.

Rate effective on articles manufactured on and after November 1,

1969, and exported on and after November 21, 1969.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., June 23, 1971.

(Q) Rolls, steel, finished rolling mill.—Manufactured under section 1313 (a) by Foster Associates, Inc., Worcester, Mass., with the use of imported rough-turned alloy tool steel bars.

Rate effective on articles manufactured on and after February 1,

1970, and exported on and after June 29, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., June 28, 1971.

(R) Sebacic acid capryl alcohol, castor oils, esters, acids, and plasticizers.-T.D. 54272-M. as amended by T.D. 54474-C. and T.D. 55522-H, to cover sebacic acid and capryl alcohol, hydrogenated castor oil acids, and esters manufactured under section 1313 (a) by Wallace & Tiernan Inc., Belleville, N.J., at its Dover, Ohio, factory with the use of imported or drawback castor oil; (2) to cover esters (plasticizers) manufactured at the said factory with the use of imported phthalic anhydride, capryl alcohol imported as such or manufactured under drawback regulations, and (3) to cover Akalon capsules manufactured by Strasenburg Laboratories, Div. of Wallace & Tiernan, Inc., at its Rochester, N.Y., factory with the use of imported scopolamine methyl nitrate, further amended to cover (1) such articles manufactured by Harchem Div., Pennwalt Corp., Cedar Knolls, N.J., successor, at its Dover, Ohio, factory and to cover (2) the foregoing articles manufactured at the said factory by Union Camp Corp., Harchem Div., Wayne, N.J., ultimate successor.

Amendment effective on the articles covered by amendment (1), above, which are exported on and after March 31, 1969, the date of succession, and on the articles covered by amendment (2), above, which are exported on and after October 21, 1970, the date of ultimate

succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 31, 1971.

(S) Sebacic acids, crude capryl alcohol. Sebacates or plasticizers.— T.D. 56239-A, as amended, covering among other things, hydrogenated castor oil, hydrogenated castor oil acids, and hydrogenated castor oil esters manufactured by Harchem Div. Wallace & Tiernan, Inc., at its Dover, Ohio, factory, under section 1313 (b) with the use of castor oil, further amended to cover (1) such articles manufactured by Harchem Div., Pennwalt, Corp., Cedar Knolls, N.J., successor, at its Dover, Ohio, factory and to cover (2) the foregoing articles manufactured at the said factory by Union Camp Corp., Harchem Div., Wayne, N.J., ultimate successor.

Amendment effective on the articles covered by amendment (1), above, which are exported on and after March 31, 1969, the date of succession, and on the articles covered by amendment (2), above, which are exported on and after October 21, 1970, the date of ultimate

succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 31, 1971.

(T) Shotshells and rifle cartridges.—Shotshells manufactured under section 1313(a) by C.I.L. Ammunition, Inc., Plattsburgh, N.Y., with the use of imported empty primed shotshell casings, smokeless powder, card wads, felt filler and fibre filler wads, lead shot, and packaging materials; center fire rifle cartridges manufactured by the company under section 1313(a) with the use of imported empty primed brass casings, smokeless powders, bullets, and packaging materials.

Rate effective on articles manufactured on and after January 2, 1968, and exported on and after September 10, 1968.

Rate issued by Regional Commissioner, Boston, Mass., August 2, 1971.

(U) Steel products.—T.D. 45582-T, as amended and extended, covering, among other things, tungsten steel and tungsten steel products manufactured under section 1313 (b) by Crucible Steel Corp., Pittsburgh, Pa., at its various factories with the use of tungsten ores, further amended (1) to cover such articles manufactured at the same factories by Colt Industries Inc., Midland, Pa., (2) to cover a change in name of the successor company to Crucible Steel Corp., and (3) to cover a further change in name to Crucible Inc.

Amendment effective on articles covered by amendments (1) and (2) herein which are exported on and after October 18, 1968, the date of succession and the date of the change in name, and by amendment (3) herein which are exported on and after February 14, 1969, the

date of the further change in name. Had book allow colors but

Amendment issued by Regional Commissioner of Customs, New York, N.Y., June 25, 1971.

(V) Tapes, recording, audio, digital, and video.—Manufactured under section 1313 (a) by Memorex Corp., Santa Clara, Calif., with the use of imported polyester film.

Rate effective on articles manufactured and exported on and after

March 12, 1969.

Rate issued by Regional Commissioner of Customs, San Francisco. Calif., May 27, 1971, Tonny Corps. Coder Man 1791, Will market H ve

(W) Tapes, recording, audio, digital computer, and video.—Manufactured under section 1313 (a) by Memorex Corp., Santa Clara, Calif., with the use of imported magnetic iron oxide powder.

Rate effective on articles manufactured and exported on and after

above, which are exported on and after March 31, 1969, 1984, 19 vlul

Rate issued by Regional Commissioner of Customs, San Francisco, which are exported on and after October 21, 197 Calif., May 27, 1971.

(X) Weed killers.—T.D. 67-98-U, covering the foregoing products manufactured under section 1313(a) by Chipman Chemical Co., Portland, Ore., with the use of imported alpha chloropropionic acid, amended to cover the said articles manufactured by Rhodia, Inc., New York, N.Y., successor. adminima A.H.D gd (a) 8181 mortos roban

Amendment effective on articles exported on and after January 2, less powder, card wads, felt filler and fibre filler wads, lead shot, 8901

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 11, 1971, at fillw (a) SISI noites nebut vitaginos

hrase crain (Y) Weed killers and defoliants.-T.D. 42406-A, as amended, covering among other things, weed killers and defoliants manufactured by Chipman Chemical, Co., Inc., Bound Brook, N.J., under sections 1313 (a) and (b) at its Bound Brook, N.J., Pasadena, Tex., Palo Alto, Calif., Portland, Ore., and Clearing, Ill., factories with the use of imported and substituted sodium chlorate, further amended to cover the foregoing products manufactured by Rhodia, Inc., New York, N.Y., successor, at the said factories under sections 1313 (a) and (b).

Amendment effective on articles exported on and after January 2, burgh, Pa., at its various factories with the use of tungster ones, 8001

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 11, 1971. I handlaid and seintsubaltillo vd spirot name of the successor company to Caucible Steel Corp., and (3) to

#### cover a further changes Approval under section 22.6, Customs Regulations

(1) Petroleum products.—T.D. 66-230(1), covering petroleum products manufactured under section 1313(b) by Union Oil Co. of Calif., Los Angeles, Calif., at its refineries located at Wilmington and Rodeo, Calif.; and Cut Bank, Mont., with the use of crude petroleum and petroleum derivatives, amended to cover such articles manufactured at additional refineries located at Lemont, Ill., (Chicago and Lemont refineries); Toledo and Heath (Newark), Ohio; and Smiths Bluff (Nederland), Tex.

Amendment effective on articles manufactured and exported on and

after January 1, 1970.

T.D. 66-101(1), being superseded, revoked effective December 31.

80.0479

1969, without prejudice to any drawback rights which accrued prior For the period March 13 through Me notioned after to

Supplemental statement of July 1, 1971, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., February 29, 1972.

For the period March 13 through March 17, 1972, rate of

#### (T.D. 72-99)

This information is for use pursuant to section 16.4. Customs Regu-Foreign currencies-Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Argentine peso, Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 5, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c). Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated: PETCE OF THE COMMISS

### Argentine peso; A motoridan W

For the period March 27 through March 31, 1972, no rate Bonds of carriers for the transportation of behitres relandise

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Denmark	krone:	-1 C		since E. in	1-1-	tools -at-	353

Denmark k	indicates that the bond previously outstanding hisner
March	27, 1972 \$0. 143450 m od t no
March	28, 1972
March	29, 1972
March	30, 1972
March	31, 19721435

Hong Kong dollar:	Official	Free .tail 10
TO 1 01 1070	YY 1' 1	

	T COL GGI A	~19	1012		ALOMAN	-
	February	22,	1972	\$0.1790		
17	February	23,	1972	. 1790	. 179091*	
	February	24,	1972			
10	February	25,	1972	. 1790	.179131*	
					200 c. R	

#### Ira

n rial:	Pearl St., Golesborg, Ill., Oct. 1, 1971 Mar.	B M Transport, Inc., 194 S.
March 13,	1972 January Co. of Book San Street	\$0.0132
March 14,	1972	. 0131
March 15,	1972	
March 16,	1972	. 0131
March 17.	1972	

<sup>\*</sup>Certified as nominal rate.

1969, without prejudice to any drawback rights; osed baiquer tuodiiw. each

For the period March 13 through March 17, 1972, rate of Supplemental statement of July 1, 1971, forwa0cct.08 Regional Commissioner of Customs, Los Angeles, (alif.) Valous vy 287 197.

For the period March 13 through March 17, 1972, rate of \$0.0479.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4). The many the same of the same o dollar, Iran rial, Philippine geso, Thailand bul (119,448)

Rates ogniaR. R niwdel to the Secretary of the Treasury by the Federal and anoth sport around a seq and Acting Commissioner of Customs. dollar, Iran rial, Philippine peso, and Thailand lmit (tical)

\*Certified as nominal rais.

DEPARTMENT OF THE TREASURY, 

## Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587 372(c)) thas certified the

betselbni as sorting Department of the Treasury, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 6, 1972.

throngly March 39, 1972, no rate Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
American Union Transport, Inc., 17 Battery Pl., New York, N.Y., water carrier; Federal Ins. Co. p 3/2/72	Jan. 6, 1959	Jan. 14, 1959	New York Sea- port; \$50,000
BN Transport, Inc., 796 S. Pearl St., Galesburg, Ill., motor carrier; American Casualty Co. of Reading, Pa.	Oct. 1, 1971	Mar. 7, 1972	Chicago, III.; \$25,000
B & R Trucking, 684 4th St., Ei Cajon, Calif., motor carrier; Peerless Ins. Co. (PB 1/29/68) D 3/9/72 1	Jan. 18, 1972	Mar. 10, 1972	Seattle, Wash.; \$25,000

See footnotes at end of table,

to stand the old Notice of principal and surety to stand	Date of bond	Date of approval	Filed with district director/area director; amount
Burlington Truck Lines, Inc., 547 W. Jackson Bivd., Chicago, Ill., motor carrier; Seaboard Surety Co. D 3/1/12	Apr. 10, 1968 Alistate Ins. C	May 0 6, 1988	Chicago, Ill.; \$25,000
Oliver DeSimone Alberico DeSimone dba Burrell's Express, 60 Foley St., Somerville, Mass., motor car- rier; The Travelers Indemnity Co.	Dec. 9, 1971	Mar. 23, 1972	Boston, Mass.; \$25,000
C & C Trucking Co., 3414 Kiesthili, Dallas, Tex., motor carrier: The Travelers Indemnity Co.	Jan. 24, 1972	Feb. 28, 1972	Laredo, Tex.; \$25,000
Chotin Transportation, Inc., 225 Barrone St., New Orleans, La., water carrier; Federal Ins. Co.	Feb. 28, 1972	Mar. 27, 1972	New Orleans, La.; \$50,000
Crewe Transfer Co., 2402 Decatur St., Richmond, Va., motor carrier; Maryland Ins. Co.	Mar. 21, 1972	Mar. 22, 1972	Norfolk, Va.; \$25,000
Farny Truck Service, Inc., 1605 N.W. Pettygrove St., Portland Ore., motor carrier; St. Paul Fire & Marine Ins. Co. MAMHEL GRANOEL	Mar. 13, 1972	Mar. 14, 1972	Portland, Ore.; \$25,000
Frozen Food Express, Inc., 318 Cody St., Dallas, Tex., motor carrier; Reliance Ins. Co. (PB 27768), D 3/10/72 2	Feb. 7, 1972	Mar. 10, 1972	Houston, Tex.; \$25,000
Funk's Hauling Service, Inc., 2750 Grant Ave., Phila- delphia, Pa., motor carrier; Liberty Mutual Ins. Co. (PB 3/21/68) D 3/21/72 3	Mar. 21, 1972	Mar. 21, 1972	Philadelphia, Pa.; \$25,000
H & R Leasing Co., dba H & R Produce, 5216 Blue Valley Ct., Fort Worth, Tex., motor carrier; The Travelers Indemnity Co.	Jan. 11, 1972	Feb. 23, 1972	Laredo, Tex.; \$25,000
Henry Gillen's Sons Lighterage, Inc., P.O.B. 7, Oyster Bay, N.Y., water carrier; The Home In-	Mar. 10, 1972	Mar. 17, 1972	New York Sea- port; \$50,000
(PB 8/7/64) D 3/17/724 10 (1919) P	certified La	f exchange	Lists of rates
Herbert Lynn Moore dba H & H Trucking Co., 10360	Apr. 1, 1968	June 4, 1968	Portland, Ore;
N. Vancouver Way, Portland, Ore., motor carrier; Transamerica Ins. Co. D 3/20/72	270	h June 20, 1	\$25,000
Hilt Truck Line, Inc., P.O.B. 7215, S. Omaha, Neb., motor carrier; St. Paul Fire & Marine Ins. Co.	Feb. 16, 1972	Mar. 24, 1972	Chicago, Ill.; \$25,000
L & H Produce Ltd., 888 Malkin Ave., Vancouver, B.C., Canada, motor carrier; Peerless Ins. Co. (PB 1/29/68) D 3/5/72 5	Jan. 10, 1972	Mar. 6, 1972	Seattle, Wash.; \$25,000
M& P Transport Ltd., P.O.B. 4503, Edmonton, Alta., Canada, motor carrier; American Employer's Ins. Co. of Boston, Mass.	Feb. 6, 1937	Feb. 27, 1987 beititae 1	Great Falls, Mont.; \$25,000
D 2/6/72  Moore-McCormack Lines, Inc., Two Broadway, New York, N.Y., water carrier; Peerless Ins. Co.	Jan. 28, 1972	Feb. 29, 1972	New York Sea- port; \$100,000
(PB 1/28/70) D 2/29/72 * Northwestern Transit, Inc., 2425 S. Wood St., Chicago, Ill., motor carrier; St. Paul Fire & Marine Ins. Co.	Apr. 1, 1961	Apr. 4, 1961	Chicago, Ill.; \$30,000
D 3/2/72 Peters Trucking Lines, P.O.B. 218, Yreka, Calif.,	Mar. 23, 1972	Mar. 23, 1972	San Francisco,
motor carrier; Liberty Mutual Ins. Co. Sofield Transfer Co., Inc., 1051 Edwards St., Linden, N.J., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 3/17/10) D 3/1/12	Mar. 6, 1972	Mar. 7, 1972	Calif.; \$25,000 New York Sea- port; \$50,000
Stewart Transport Inc., P.O.B. 335, Londonderry, N.H., motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 19, 1972	Mar. 22, 1972	Boston, Mass.; \$25,000
Towne Services Household Goods Transportation Co., Inc., P.O.B. 16091, San Antonio, Tex., motor carrier; Gulf Ins. Co.	Dec. 23, 1971	Mar. 21, 1972	Laredo, Tex.; \$25,000
Since decoders and and add darking	AND DESCRIPTION		THE PRINTING

participation for the control of the	Date of bond	Date of approval	Filed with district director/area director; amount
Transport Storage & Distributing Co., Inc., P.O.B. 570, Renton, Wash., motor carrier; Allstate Ins. Co.			
(PB 2/12/68) D 3/21/72 ·	Hornutt with w	Mayor 15	1977,2778.0

1 Surety is Reliance Ins. Co.

Surety is U.S. Fidelity & Guaranty Co.

Surety is The Hanover Ins. Co.

4 Surety is Aetna Ins. Co.

Surety is Reliance Ins. Co.

Surety is St. Paul Fire & Marine Ins. Co.

Star. 14, 1972

<sup>7</sup> Surety is United Pacific Ins. Co.

(241.2)

Portland Over, motor carrier; St. Paul Fire & Marine LEONARD LEHMAN, Assistant Commissioner, so volour Office of Regulations and Rulings. Funk's Hagling Service, Inc.,

C & C Trusting Co., 319 Klesthilk Delias, Texa, motor carrier; The Truvelers Indemnity Co.

Chotin Transportation, Inc., 225 Barrone St., New Orleans, La., water carrier; Federal Ins. Co.

Crews Transfer Co., 2401 Decator St., Richmond, Va.,

Farny Truck Service, Inc., 1605 N.W. Pettygrove St.,

delpida, Pa., motor carrier; Liberty Mutual Ins. Co.

motor carrier; Maryland Ins. Cor.

(PB 3/21/08) D 3/21/723 H & R Leading Co., dba H & R Produce,

(T.D. 72-101) a tolles Let Worth, Tex, Seller

Travelers Indemnity Co. Foreign currencies—Quarterly list of rates of exchange

Lists of rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for use during the quarter beginning April 1 through June 30, 1972 N. Varidoriver Visit Purlimed, Ores, moder corrier;

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 5, 1972.

The appended table lists the rates of exchange of certain foreign currencies first certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), for a day in the quarter beginning April 1, 1972. The rates are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs. N.H., motor corrier St. Paul Fire & Marine Ltn. Co. Towns Services Household Goods Transportation List of values of foreign currencies certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under provisions of section 522(c), Tariff Act of 1930, as amended

#### QUARTER BEGINNING APRIL 1 THROUGH JUNE 30, 1972

Country	Name of Currency	Dollars
Australia	Dollar	\$1, 1910
Austria	Schilling	. 043350
Belgium	Francisca	. 02274
Canada	Dollar	1.0017
Ceylon	Runee	. 1665
Finland STEEMESTO AMERICA	Markka	MMOD 2410
France		
Germany	Deutsche Mark	2157
India	Runee altored yo	1370 1370
Ireland		2. 6160
Italy		
Japan		. 003288
Malaysia	Dollar : Mil Moles 1163	. 3540
Mexico		
Netherlands	Guilder To the trans	. 3126
Netherlands New Zealand	Dollar	1. 1980
Norway napropos m bus an	Dollar Krone	. 151550
Portugal STRL A down to	Escudo aviduaexa 10	0370
Republic of South Africa.		
Spain paratitation in the second		
Sweden	Krona	2092
Sweden- Switzerland	Krona Franc	BALL CONTRACTOR STREET
United Kingdom 00W 10 ff	om warehouse Ibanoquimpino	2 6160
United Kingdom	Pound	. 2606 2. 6160

or manufactured in the Republic of China, in excess of the following twelve-month levels of restra (201-27 .Q.T)

Categories 211, 213, 216, 219, 221, 299, 208, 232, 234, and 235, produced

Wool and manmade fiber textiles—Restriction on entry

Restriction on entry of wool textile products and manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., April 6, 1972.

There is published below the directive of March 6, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of wool textile products and manmade textile products manufactured or produced in the Republic of China.

These breis have not been adjusted to reflect entries made on or after October 1, 1971.

This directive was published in the Federal Register on March 10, 1972 (37 F.R. 5148), by the Committee. of 1930, as amended

## QUARTER BEGINNING APRIL 1 THROUGH JUNE 3(8.848) LEONARD LEHMAN, Acting Commissioner of Customs.

## THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230 Bhans

# Corlon Stramman Stram

Dollar\_

March 6, 1972.

Commissioner of Customs and Department of the Treasury bands Washington, D.C. 20226

DEAR MR. COMMISSIONER:

atile products

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelvemonth period beginning October 1, 1971 and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Categories 116 and 117 and man-made fiber textile products in Categories 211, 213, 216, 219, 221, 222, 228, 232, 234, and 235, produced or manufactured in the Republic of China, in excess of the following twelve-month levels of restraint:

	G 1 (131 A )
	Twelve-Month Levels
Category	of Restraint
116	820, 513 lbs.
nets and manfifde te	512, 821 lbs. 40 mu molyofrases.
and 211 oddings Hodi	641, 026 lbs.
213	6, 410, 256 lbs.
216	551, 876 doz.
216 219 Molyaidan 1221 Molyaidan	4, 248, 366 doz.
221	2, 989, 130 doz.
of Marcl 2221972,	2, 808, 989 doz.
the Chairs822, Con	mort a 344, 116 doz. ozaimmo) ads
dt gr232 enne 282 g th	
nn at 234 og ell izer l	on entry into the sob 700, 307 doz. of woo
Iduq 235 dr ni heard	org 701, 308, 258 doz. abulborq elitzet

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect entries made on or after October 1, 1971.

Entries of wool and man-made fiber textile products in the above categories produced or manufactured in the Republic of China and which have been exported to the United States prior to October 1. 1971 shall not be subject to this directive.

Wool and man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall

not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 30, 1971 between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of short falls in certain categories to the next agreement year; for limited interfiber flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

A detailed description of the wool and man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal

Register on October 9, 1971 (36 F.R. 19722).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of wool and man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register. Under the provisions of the bilate

withdrawal from wavehouse for consumption of wool textile products in Categories 104 and 120 and man made filter textile products in Categories 211, 216, 219, 201, 202, 228, 220, 221, 225, and 228, produced

Sincerely,

STANLEY NEHMER, Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary month period beg sorwoss not 1, 1971 and extending through September 30, 1972, entry into the United States for consumption and Entries of wool and man (107 Lor) Lattile products in the above categories produced or manufactured in the Republic of China and

#### 1 19 1010 Wool and manmade fiber textiles - Restriction on entry doing

Restriction on entry of wool textile products and manmade textile products manufactured or produced in the Republic of Korea Justoms under the provisions of

19 U.S.C. . YHUZART HIT TO THEMTRAGED date of this directive shall OFFICE OF THE COMMISSIONER OF CUSTOMS, of Jon. .1972. April 12, 1972. The motion of the street to adjustment

There is published below the directive of March 6, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of wool textile products and manmade textile products manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on March 10, 1972 (37 F.R. 5149), by the Committee.

A detailed description of the wool and man-made fiber (8.646)

cornes, NAMHALI GRANOSLI. S.A. numbers was published in the Federal Acting Commissioner of Customs. In carrying out this directive, entry into the United States for

consumption shall be construed to include entry for consumption into THE ASSISTANT SECRETARY OF COMMERCE BOWNSON HO The actions taken wios2023 to.d .noroningawrnment of the Republic

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

. 1972. Agreements to Textile Agreements to COMMISSIONER OF CUSTOMS I and to anoitonut saisfle region of every Department of the Treasury to 10 renoissionmo) oil to anoiteerib implementation of such actions, fall within : 82202. D. G. notganka. W.

DEAR MR. COMMISSIONS Of 5 U.S.C. 538 NORTH THE PROPERTY OF THE PARTY OF THE PROPERTY OF THE PR

lished in the Federal Registe Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelvemonth period beginning October 1, 1971 and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Categories 104 and 120 and man-made fiber textile products in Categories 211, 216, 219, 221, 222, 228, 229, 234, 235, and 238, produced

or manufactured in the Republic of Korea, in excess of the following volve foreign affairs functions of the straint; I to smottonul snie in misro of volve

ry to the imrs exception published in

mentation

ng necessar	directions to I slaved AtnoMisvlswTf Customs, bei
Category	of alt-nidity let of Restraint to moits trample
104	1,505,900 sq. yds.
120	314, 133 no.
211	1,702,855 lbs. Sincerely.
216	115. 901 doz.
219	37. THE 3 175 441 doz
001 3/13	TO 9000 170 000 dal
999	3970 1 3113331 602 489 doz
000	not ope angernety Assistant
229	598, 773 doz.
234	2, 991, 365 doz.
235	1, 106, 836 doz.
238	(101-27 . 148, 438 doz.

Entries of wool and man-made fiber textile products in the above categories produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive. Rates of exchange certified to the

Wool and man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive. HIT TO HOLLY!

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea which provide in part that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; for limited inter-fiber flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

A detailed description of the wool and man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722). : nallob 200 X 200 H

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of wool and man-made fiber textile products from the Republic of Korea have been determined by

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect entries made on or after October 1, 1971.

the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,

Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

285

238

xob 284 (T.D. 72-104)

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial,
Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 11, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Denmark krone:	more than 5 percent; for the limited	don
April 3, 1972	\$0,1435	

ni a

Hong Kong dollar: Official	RI . C Tedo Free
February 28, 1972\$0. 1780	\$0.179091*
February 29, 1972 1785	.179091*
March 1, 1972 1785	179091*
March 2, 1972	.179051*
March 3, 1972	.179131*

<sup>\*</sup>Certified as nominal rate

#### Iran rial:

Iran rial:	Ch. 11), and physicant to authorization pro-	(S:OFIE
March 20	1972 2.3 48 1 1 1 2 1 \$0. 0131	Departu
March 21,	1972	limits of
March 22	1972 /	Wiscoms
March 23,	1972	
March 24	, 1972	tory with

Philippine peso:

For the period March 20 through March 24, 1972, rate of kees Nisconsin, district (Region IX), and insert .051.0\$

Section 1.2(c) of the Customs Regulations

## Thailand baht (tical): (I.T at horizosaft and interest and uniform)

March 20,	1972 \$0	.0478	8 08) ==
March 21,	1972 : 037 Jate 34 .409 .000 , beham	.0479	R.S.(201
March 22,		.0478	1, 2, 66,
March 23,	of this extension of existing 12761	.0478	The p
March 24	service to importers, carriers 2701	0479	provide

This information is for use pursuant to section 16.4, Customs Regu-Effective date: This Treasury Decision shat (4.18 RTO 91) anotal

(342.211)

days after publication in the Federal Register. EDWIN F. RAINS, Acting Commissioner of Customs.

# (T.D. 72–105)

## General provisions—Ports of entry

Boundaries of the Port of Milwaukee, Wisconsin, extended, section 1.2(0), Customs Regulations, amended

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 10, 1972. T OF THE TREASURY.

### TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

PART 1—GENERAL PROVISIONS

In order to provide better Customs service to carriers and the importing community in the State of Wisconsin, it is considered desirable to extend the existing port limits of Milwaukee, Wisconsin.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President in Executive Order No. 10289, September 17, 1951 (3 CFR Ch. 11), and pursuant to authorization provided by Treasury Department Order No. 190, Rev. 7 (34 F.R. 15846), the geographical limits of the Customs port of Milwaukee, Wisconsin, in the Milwaukee, Wisconsin, Customs district (Region IX), which encompass the county of Milwaukee, Wisconsin, are extended to include all the territory within the counties of Milwaukee and Waukesha, Wisconsin.

Section 1.2(c) of the Customs Regulations is amended by deleting "(including the territory described in T.D. 67-31)" after "MIL-WAUKEE" in the column headed "Ports of Entry" for the Milwaukee, Wisconsin, district (Region IX), and inserting in lieu thereof

"(including the territory described in T.D. 72-105);" ad baralizad"

Epwin i

(80 Stat. 379, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 1, 2, 66, 1624)

The purpose of this extension of existing port of entry limits is to provide better service to importers, carriers, and the public. Notice and public procedure under 5 U.S.C. 553(b) is found, therefore, to be unnecessary.

Effective date: This Treasury Decision shall become effective 30 days after publication in the Federal Register.

(014.1)

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register April 18, 1972 (37 F.R. 7591)]

## (T.D. 72–106)

## Entry of merchandise

Sections 8.8(c) and 24.5(a), Customs Regulations, relating to reporting Importer Numbers, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

On August 25, 1971, a notice of proposed rule making was published in the Federal Register (36 F.R. 16661) to prescribe the reporting of a number on each Entry Record, Customs Form 5101, and the filing

of such number on a Notification of or Application for Importer's Number, or Notice of Change of Name or Address, Customs Form 5106, in order to identify the "owner of the merchandise" on each dutiable formal entry. The amendment will permit the Bureau of Customs to identify the owner or ultimate consignee of merchandise associated with formal entries without reference to the records and files of customhouse brokers.

After consideration of all relevant matter presented by interested persons, in order to clarify the proposed amendments, the more commonly used term "ultimate consignee" is substituted for the term "owner of merchandise" where it appears, and the second sentence of proposed section 8.8(c) is changed to use the term "importer number of the importer of record." Editorial changes have also been made.

Accordingly, the proposed amendments are hereby adopted as set lowing such 6-month period, the identification of the ul woled drop

signee on each duriable formal entry is a mandatory requirement with PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

In section 8.8, paragraph (c) is amended to read as follows: after publication in the Federal Reg

8.8 Requirements on entry.

(c) A copy of Customs Form 5101, Entry Record, shall be prepared and presented by the importer with each dutiable consumption, warehouse, appraisement, vessel repair, or drawback entry. The importer number of the importer of record and the importer number of the ultimate consignee shall be reported for each such entry filed other than a consolidated entry covering the shipment of several ultimate consignees. When the importer of record and the ultimate consignee are one and the same, the importer number shall be entered in both spaces provided on Customs Form 5101. When a consolidated entry is filed, the notation "consolidated" shall be entered in the space for the importer number of the ultimate consignee. If an importer of record desires to have refunds, bills or notices of liquidation pertaining to his entry mailed in care of his agent, the agent's importer number shall also be reported on the Customs Form 5101. In such a case, the importer of record shall file, or shall have filed previously, a Customs Form 4811 authorizing the mailing of refunds, bills, or notices of liquidation to the agent.

Orbice of the Countshidele of Charons. (Sec. 484, 46 Stat. 722, as amended: 19 U.S.C. 1484)

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

In section 24.5, paragraph (a) is amended to read as follows:

24.5 Filing identification number.—(a) Each person, business firm, Government agency, or other organization shall file Customs Form 5106, Notification of or Application for Importer's Number, or Notice of Change of Name or Address, with the first dutiable formal entry which he submits or the first request for services that will result that a petition for remission or mitigation of a fine, penalty or

in the issuance of a bill or a refund check upon adjustment of a cash collection. Notification of or Application for Importer's Number, or Notice of Change of Name or Address, Customs Form 5106, shall also be filed for the ultimate consignee for which such entry is being made.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

To allow an initial 6-month period for importers of record to secure importer numbers of ultimate consignees, the importer numbers of ultimate consignees which are not available at the time of entry of merchandise during the first six months after this amendment becomes effective shall be submitted on an amended Customs Form 5101, Entry Record, to the port where the entry was filed, by the end of the first six months after this amendment becomes effective. Following such 6-month period, the identification of the ultimate consignee on each dutiable formal entry is a mandatory requirement with the submission of such entries.

Effective date: This amendment shall become effective 30 days after publication in the Federal Register.

(140.431)

G. R. Dickerson,

Acting Commissioner of Customs.

Approved April 10, 1972:

EUGENE T. Rossides, han brown to retrocust edit to reduce

and to bold Assistant Secretary of the Treasury. Inde pour isnos exemitly

[Published in the Federal Register April 18, 1972 (37 F.R. 7592)]

spaces provided on Costom (701-27 O.T.) When a consolidated entry is filed, the notation "consoli (701-27 O.T.) entered in the space for the

Fines, penalties and forfeitures, and liquidated damages—Signature on petition

Sections 171.11 (b) and 172.11 (b), Customs Regulations, relating to the signature on petitions, amended

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C.

#### THE 19-CUSTOMS DUTIES O- 12 THAT

Swollol CHAPTER I-BUREAU OF CUSTOMS 10.40 nortoes al

PART 171-FINES, PENALTIES, AND FORFEITURES

10 TO THE PART 172-LIQUIDATED DAMAGES 10/ 10/

Sections 171.11(b) and 172.11(b) of the Customs Regulations provide that a petition for remission or mitigation of a fine, penalty or

forfeiture or a petition for relief from liquidated damages be signed by the petitioner or if the petitioner is a corporation, be signed by an officer thereof. However, it would greatly facilitate the filing of these petitions to permit them to be signed by an attorney representing the petitioner, and, if the petitioner is a corporation, by a responsible supervisory employee thereof.

Accordingly, Parts 171 and 172 of the Customs Regulations are

amended as follows:

## PART 171-FINES, PENALTIES, AND FORFEITURES

Paragraph (b) of section 171.11 is amended to read:

(b) Signature. The petition for remission or mitigation shall be signed by the petitioner or his attorney at law. If the petitioner is a corporation, the petition may be signed by an officer or responsible supervisory employee thereof, or an attorney at law representing the corporation.

(R.S. 251, as amended, secs. 618, 624, 46 Stat. 757, as amended, 759; 19 U.S.C. 66, 1618, 1624)

## PART 172—LIQUIDATED DAMAGES

Paragraph (b) of section 172.11 is amended to read:

(b) Form. A petition for relief need not be in any particular form. Such petition shall set forth the facts relied upon by the petitioner to justify cancellation of the claim for liquidated damages, and shall be signed by the petitioner or his attorney at law. If the petitioner is a corporation, the petition may be signed by an officer or responsible supervisory employee thereof, or an attorney at law representing the corporation.

(R.S. 251, as amended, secs. 623, 624, 46 Stat. 759, as amended; 19 U.S.C. 66, 1623, 1624)

This amendment will eliminate a requirement which has been found to be unnecessarily restrictive. Therefore, notice and public procedure under 5 U.S.C. 553(b) is found to be unnecessary and, since the amendment will relieve a present restriction, good cause is found for making it effective at the earliest possible date.

Effective date: This amendment shall be effective upon publica-

tion in the Federal Register.

(014.1)

LEONARD LEHMAN.

Acting Commissioner of Customs.

Approved April 10, 1972: EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register April 18, 1972 (37 F.R. 7592)]

forfeiture or a petition to (801-27: C.T.) quidated damages be signed

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DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., April 13, 1972.

The following abstracts of Bureau of Customs decisions of general interest are published as a matter of information and guidance. (133.121)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

#### AIRCRAFT AND VESSEL SUPPLIES AND EQUIPMENT

T.D. 72-108(1) Aircraft supplies and equipment, exemption from duty and tax.—An air travel club which acquires (by purchase or lease), manages, operates, and maintains an aircraft for the carriage on an overall nonprofit basis of only members of the club which is financed by membership fees and/or dues or other assessments, including each member's share of the costs of the trips made by him or her on the aircraft, does not operate the aircraft in foreign trade within the meaning of 19 U.S.C. 1309 on flights to a foreign country. Such flights therefore do not qualify for duty- and tax-free supplies, including fuel, under the said statute. Bureau letter dated February 8, 1972. (235)

#### DRAWBACK

- T.D. 72-108(2) Manufacture or production.—The hardening and tempering of semi-finished steel fasteners by heat treating is a manufacture or production for drawback purposes within the meaning of section 1313, Tariff Act of 1930. Bureau letter dated November 24, 1971. (731.1)
- T.D. 72-108(3) Same kind and quality, dye intermediates.—Dye intermediates containing the same active ingredients are of the same kind and quality for purposes of section 1313 (b), title 19, United States Code (the "substitution" provision of the drawback law), irrespective of whether the active ingredient is of the same strength in the dye intermediates and irrespective of whether the form of the dye intermediates is powder or paste, provided the dye intermediates are used interchangeably in manufacture with no adjustment in the manufacturing process. Adjustment shall be made in liquidation of

Phillished in the Federal Register April 18, 1972 (87 F.R. 7892) 1

the drawback claim in any case where this is necessary to avoid an overallowance of drawback. Each manufacturer who has an existing drawback rate under section 1313 (b) covering the manufacture of products with the use of dye intermediates and who desires to amend his substitution proposals in accord with the foregoing views should submit to the Bureau an appropriate supplemental statement providing for such amendment. Bureau letter dated February 3, 1972. (731.1)(731.1)

- T.D. 72-108(4) Agricultural implements and parts thereof. Linchpin.-It has been established that linchpins are chiefly used in agricultural pursuits. Therefore, they are classifiable under the provision for agricultural implements and parts thereof, in item 666.00, TSUS. T.D. 71-296(3) is rescinded. Bureau letter dated January 28. 1972. (434.1)green Christmas trees in itom 192.10, TSUS, Bur
- T.D. 72-108(5) Apparatus for automatically controlling the flow of liquids. Governor .- An isochronous governor of the flyweight or flyball-type for use on large diesel engines, dual fuel engines, steam turbines driving alternators, pumps, compressors, or marine propellers, is classifiable under the provision for instruments and apparatus for automatically controlling the flow of liquids or gases, in item 711.84, TSUS. Bureau letter dated November 26, 1971. (432)
- T.D. 72-108(6) Articles of plastic, nspf. Electrophoresis membrane.—An electrophoresis membrane of cellulose acetate, approximately 5% inches by 21/4 inches, used in laboratory instruments for protein separations, is classifiable under the provision for articles of plastic, nspf, in item 774.60, TSUS. Bureau letter dated February 11, 1972. (418.44)
- T.D. 72-108(7) Balls for games, sports, and toys, Push ball and cage ball.—Push balls and cage balls, having rubber bladders and canvas covers, ranging in size from 18 inches to 6 feet in diameter, weighing from 3 to 40 pounds, and suitable for mass recreational activity are classifiable under the provision for inflatable play balls in item 735.09, TSUS. Bureau letter dated January 19, 1972. (343.3)
- T.D. 72-108(8) Parts of bicycles. Derailleur.—A derailleur system consisting of control cables, a twin or single shifter, a front shift mechanism, a double front chain wheel, a spoke protector, a rear axle hub, a rear cog or multiple free wheel, and a rear shift mechanism, is classifiable under the provision for derailleurs in item 912.10, TSUS, when imported as an entirety. Spoke protectors, rear axle hubs, front chain wheels, and control cables imported in excess of the number

needed to constitute complete derailleur systems are classifiable under the provision for other parts of bicycles in *item 732.36*, TSUS. Bureau letter dated January 11, 1972. (433.7)

T.D. 72-108(9) Electrical machinery. Electrical switches, Auto flasher.—An auto flasher, replacement part, is classifiable under the provision for electrical switches, in item 685.90, TSUS, and not under the provision for other visual signalling apparatus, in item 685.70, TSUS, unless the flasher possesses an independent monitoring function. C.A.D. 1028, noted and distinguished. Bureau letter dated March 2, 1972. (433.3)

T.D. 72-108(10) Evergreen Christmas trees. Treated Christmas tree.—An evergreen Christmas tree, treated externally with methyl bromide and lindane insecticide and whose physical appearance is not materially changed, is classifiable under the provision for evergreen Christmas trees in item 192.10, TSUS. Bureau letter dated November 23, 1971. (481.15)

T.D. 72-108(11) Film, of rubber or plastics. Master overlay pattern.—A master overlay pattern, which consists of four rectangular sheets of transparent polyethylene flexible plastic film, 3 feet long, 23 inches wide, and 0.0035-inch thick, contained in a plastic envelope with printed paper inserts showing the use of the plastic sheets, which is used as an overlay pattern for dresses after tracing outlines from paper patterns, is classifiable under the provision for other flexible film wholly or almost wholly of rubber or plastics, not of cellulosic plastics materials, in item 771.42, TSUS. Bureau letter dated January 24, 1972. (418.44)

T.D. 72-108(12) Games and sporting equipment. Jumping device.—
A jumping device cover, consisting of woven fabric which slips over a specially made inner tube, thereby becoming a platform upon which a child can bounce, is classifiable as gymnastic equipment and parts thereof, in item 735.20, TSUS. Bureau letter dated March 20, 1972. (471.7)

T.D. 72-108(13) Games and sporting equipment. Polyfiber pontoon.—Polyfiber pontoons, intended to be fitted onto the feet, thereby enabling the user to stand, walk, or ski on water, are classifiable under the provision for sport or athletic equipment nspf, in item 735.20, TSUS. Bureau letter dated January 25, 1972. (492.253)

T.D. 72-108(14) Generators. Wind-driven power plant.—A wind-driven power plant, fitted with an automatic variable-pitch propeller, designed for producing electricity to operate lighting and appliances

in isolated areas, is classifiable under the provision for generators, in item 682.60, TSUS. Bureau letter dated December 9, 1971. (431.21)

- T.D. 72-108(15) Ingot, base metal. Red brass, predominately copper.—An ingot, composed of 85 percent copper, 5 percent tin, 5 percent lead, and 5 percent zinc, where copper predominates by weight, is classifiable under the provision for other unwrought copper, in item 612.06, TSUS. Bureau letter dated February 25, 1972. (426.322)
- T.D. 72-108(16) Insulators of plastics.—Fiber glass reinforced epoxy resin pressure tubes, support cones, and support tubes, used as parts of the insulation systems of heavy-duty circuit breakers using sulfur hexafloride as an insulating medium, are classifiable under the provisions for insulators of plastics, in item 773.30, TSUS. Bureau letter dated November 4, 1971. (431.24)
- T.D. 72-108(17) Laboratory glassware. Pump.—A glass pump, used as optional equipment in laboratories with a vial filling machine, is classifiable under the provision for laboratory glassware, whether or not graduated or calibrated, if containing over 95 percent silica by weight, in item 547.53, TSUS; if not containing over 95 percent silica by weight, in item 547.55, TSUS. A glass pump is not classifiable as a pump, noting Headnote 1(iv), Part 4, Subpart A, Schedule 6, TSUS. Bureau letter dated November 26, 1971. (434)
- T.D. 72-108(18) Luggage. Textile materials. Packsack.—A packsack of textile material with aluminum frame is classifiable under the provision for luggage, of textile materials (except yarns, of paper), whether or not ornamented, according to the component of chief value; if cotton, in item 706.22, TSUS; if nylon, in item 706.24, TSUS; or, if with braided nylon cords, in item 706.20, TSUS. An aluminum frame, if imported separately, is classifiable under the provision for articles of aluminum, not coated or plated with precious metal, in item 657.40, TSUS. Bureau letter dated March 16, 1972. (426.89)
- T.D. 72-108(19) Machetes and parts thereof. Machete with saw teeth on the dull edge.—A machete with standard sharp edge and saw teeth on the other edge is classifiable under the provision for machetes and parts thereof, in item 648.65, TSUS. T.D. 66-23(19), distinguished, on the basis that the addition of the saw teeth does not make the article more than a machete, since the tool retains its basic original use. Bureau letter dated December 30, 1971. (424.211)
- T.D. 72-108(20) Machines, industrial. Converter gas cooler.—A machine which removes heat from the off-gases of a copper converter by passing them around tubes filled with water, thereby decreasing the gas temperature and producing steam insufficient as a power

source, is classifiable under the provision for industrial machinery, for the treatment of materials by a process involving a change of temperature, such as cooling, other, in *item 661.70*, TSUS. Bureau letter dated January 28, 1972. (434.65)

- T.D. 72-108(21) Machines, nspf. Ion implantation system.—A system consisting of a duoplasmatron, accelerating tube, power unit, focusing equipment, cooling system, vacuum pumping system, and target chamber, for ion implantation or doping of semiconductor materials with ions of helium or other elements, is classifiable under the provision for machines, nspf, in item 678.50, TSUS. Bureau letter dated February 22, 1972. (431)
- T.D. 72-108(22) Manicure set.—A figure of a cat made of styrofoam with a ball for the head and a one-half styrofoam ball for the body, both pieces being covered with felt and lace-like trimming and with felt pieces pasted on the head to represent eyes, ears, nose, and mouth, having four manicuring instruments inserted in its back with handles exposed for accessibility, is classifiable under the provision for manicure sets in containers of types ordinarily sold therewith in retail sales, in item 651.13, TSUS. Bureau letter dated February 8, 1972. (473.35)
- T.D. 72-108(23) Medical instruments and apparatus. Electromedical apparatus. Clinitron.—A battery-powered portable electronic instrument combined in an integrated chassis with plug-in probes designed to take temperature measurement, pulse rate, blood pressure. and to be used as a stethoscope, is classifiable under the provision for other electro-medical apparatus, in item 709.17, TSUS. Bureau letter dated February 22, 1972. (431.4)
- T.D. 72-108(24) Nitrogenous compounds. Ethylene thiourea.— Ethylene thiourea is classifiable under the provision for other thioamides in item 425.36, TSUS. Bureau letter dated March 14, 1972. (417.0).
- T.D. 72-108(25) Plastics articles, nspf. Educational primary color paddle.—Three transparent plastic paddles, one red, one yellow, and one blue, each paddle 6 inches long, 2 inches wide at it widest point, and ½-inch thick, which when held together form a different color, for example, the yellow and blue form green, and which are used in education as aids in teaching colors to small children, are classifiable under the provision for articles nspf, of plastics, in item 774.60, TSUS. Bureau letter dated December 10, 1971. (418.44)
- T.D. 72-108(26) Television apparatus and parts thereof. Remote-control timer.—A device used with an external-switching device to

activate a video-tape recorder in a surveillance system, is classifiable under the provision for television apparatus and parts thereof, in *item* 685.20, TSUS, rather than under the provision for electrical apparatus for making or breaking electrical circuits, in *item* 685.90, TSUS. T.D. 56478(179), noted. Bureau letter dated November 26, 1971. (431.24)

T.D. 72-108(27) Tools, interchangeable. Die.—A roll-thread die, which presses threads into the shank of a smooth-screw blank without removing material, is classifiable under the provision for other interchangeable tools for hand tools or for machine tools, not suitable for cutting metal, in item 649.49, TSUS. Bureau letter dated March 9, 1972. (424.23)

T.D. 72-108(28) Toy figures of animate objects. Cartoon character bank.—A familiar toy comic cartoon character figure of a bird, approximately 9 inches high, with a toy squeeker inserted in the back of its head, mounted on a 2½-inch plastic base having a slot for the receipt of coins and a plug for the removal thereof, is classifiable under the provision for other toy figures of animate objects (except dolls), not having a spring mechanism, and not stuffed, in item 737.40, TSUS. Bureau letter dated March 1, 1972. (418.44)

T.D. 72-108(29) Toy figures of animate objects. Monkey.—A stuffed toy monkey having moveable arms and legs, but not having a spring mechanism, the height of which is determined by measuring from the highest point on its head, including ears, to the lowest point on its feet, is classifiable under the provision for toy figures of animate objects (except dolls), not having a spring mechanism, stuffed, in item 737.25 or 737.30, TSUS, according to value per inch of height. Bureau letter dated January 7, 1972. (492.1)

T.D. 72-108(30) Toy figures of animate objects. Toy trophy.—A toy trophy, consisting of a plastic 3½-inch tall figure of a dog cartoon character in a comical golfing pose mounted on a plastic base measuring 3 inches by 2 inches by 1¼ inches, with the words, "WORLD'S GREATEST GOLFER," imprinted thereon, is classifiable under the provision for other toy figures of animate objects (except dolls), not having a spring mechanism and not stuffed, in item 737.40, TSUS. Bureau letter dated March 1, 1972. (492.13)

T.D. 72-108(31) Transformer parts. Wound closed core and shell-core.—Cores wound from permeable silicon steel tape in simple closed core or "U" and shell-core or "E" designs for use in transformers and chokes, when imported uncut, or cut in half for insertion into coil windings, are classifiable under the provision for parts of transformers, in item 682.60, TSUS. This classification does not apply to

wound toroidal cores, to which T.D. 56404(16) is still applicable. Bureau letter dated November 26, 1971. (431.24)

(T.D. 72-109)

Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Thailand

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 13, 1972.

There is published below the directive of March 20, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 60, manufactured or produced in Thailand. This directive cancels the directive of June 25, 1971, from the President's Cabinet Textile Advisory Committee (T.D. 71–186).

This directive was published in the Federal Register on March 24, 1972 (37 F.R. 6143), by the Chairman, Committee for the Implementation of Textile Agreements.

(343.3)

LEONARD LEHMAN, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

March 20, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, and in accordance with Executive Order 11651 of March 3, 1972, the directive issued to you on June 25, 1971, as amended, by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textile products in Category 60, produced or manufactured in Thailand, is cancelled effective as soon as possible.

The actions taken with respect to the Government of Thailand, and with respect to imports of cotton textiles and cotton textile products from Thailand, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER.

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-110)

Presidential Proclamation—Importation of meats

Presidential Proclamation No. 4114 concerning the quantitative limitation on the importation of certain meats into the United States

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 14, 1972.

There is published below Presidential Proclamation No. 4114 of March 9, 1972, which suspends, during the calendar year 1972, the limitation on the importation of certain meats which are specified in items 106.10 and 106.20 of the Tariff Schedules of the United States.

This Proclamation was published in the Federal Register on March 10, 1972 (37 F.R. 5113).

(012)

LEONARD LEHMAN, Acting Commissioner of Customs.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas section 2(a) of the Act of August 22, 1964 (78 Stat. 594, 19 U.S.C. 1202 note) (hereinafter referred to as "the Act"), declares that it is the policy of the Congress that the aggregate quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of

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goats and sheep (except lambs)) of the Tariff Schedules of the United States (hereinafter referred to as "meat") which may be imported into the United States in any calendar year beginning after December 31, 1964, shall not exceed a quantity to be computed as prescribed in that section (hereafter referred to as "adjusted base quantity"); and

Whereas section 2(b) of the Act provides that the Secretary of Agriculture for each calendar year after 1964 shall estimate and publish the adjusted base quantity for such calendar year and shall estimate and publish quarterly the aggregate quantity of meat which in the absence of the limitations under the Act would be imported during such calendar year (hereafter referred to as "potential aggregate imports"); and

WHEREAS the Secretary of Agriculture, pursuant to sections 2(a) and (b) of the Act, estimated the adjusted base quantity of meat for calendar year 1972 to be 1,042.4 million pounds and estimated the potential aggregate imports of meat for 1972 to be 1,240 million

pounds; and

T.D. 72-110]

WHEREAS the potential aggregate imports of meat for the calendar year 1972, as estimated by the Secretary of Agriculture, exceeds 110 percent of the adjusted base quantity of meat for the calendar year 1972 estimated by the Secretary of Agriculture; and

Whereas no limitation under the Act is in effect with respect to

the calendar year 1972; and

Whereas section 2(c)(1) of the Act requires the President in such circumstances to limit by proclamation the total quantity of meat which may be entered, or withdrawn from warehouse, for consumption, during the calendar year, to the adjusted base quantity estimated for such calendar year by the Secretary of Agriculture pursuant to section 2(b)(1) of the Act; and

WHEREAS section 2(d) of the Act provides that the President may suspend the total quantity proclaimed pursuant to section 2(c) of the Act if he determines and proclaims that such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the Nation of the economic

well-being of the domestic livestock industry; and

WHEREAS section 2(d) of the Act further provides that such suspension shall be for such period as the President determines and proclaims to be necessary to carry out the purposes of section 2(d);

Now, THEREFORE, I, RICHARD NIXON, President of the United States, acting under and by virtue of the authority vested in me as President and pursuant to section 2 of the Act, do hereby proclaim as follows:

(1) In conformity with and as required by section 2(c) (1) of the Act, the total quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of part 2B, schedule 1 of the Tariff Schedules of the United States which may be entered, or withdrawn from warehouse, for consumption during the calendar year 1972, is limited to 1,042.4 million pounds.

(2) It is hereby determined pursuant to section 2(d) of the Act that the suspension of the limitation proclaimed in paragraph (1) is required by overriding economic interests of the United States, giving special weight to the importance to the Nation of the economic well-

being of the domestic livestock industry.

(3) The limitation proclaimed in paragraph (1) is suspended during the calendar year 1972 unless because of changed circumstances it becomes necessary to take further action under the Act. It is hereby determined necessary that such suspension shall be for such period in order to carry out the purposes of section 2(d) of the Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of March, in the year of our Lord nineteen hundred and seventy-two, and of the Independence of the United States of America, the

one hundred and ninety-sixth.

RICHARD NIXON.

#### (T.D. 72-111)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Thailand

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 17, 1972.

There is published below the directive of March 27, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Thailand.

This directive was published in the Federal Register on March 31, 1972 (37 F.R. 6605), by the Chairman, Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

March 27, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of March 16,

1972, between the Governments of the United States and Thailand, and in accordance with Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective April 1, 1972 and for the twelvemonth period extending through March 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9/10, 15/16, 18/19, 22/23, 26/27, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 60, 62, 63, and 64, produced or manufactured in Thailand, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint
9/10	1,875,000 sq. yds.
15/16	750,000 sq. yds.
18/19	1,875,000 sq. yds.
22/23	1,125,000 sq. yds.
26/27	1,500,000 sq. yds. (of which not more than 1,000,000 square yards shall be in duck fabric 1)
43	48,000 doz.
45	20,000 doz.
46	18,000 doz.
47	15,800 doz.
48	9,000 doz.
49	14,000 doz.
50	25,000 doz.
51	25,000 doz.
52	27,000 doz.
53	7,700 doz.
54	14,000 doz.
55	6,800 doz.
60	38,000 doz.
62	76,087 lbs.
63	76,087 lbs.
64	81,522 lbs.
*	

Cotton textiles and cotton textile products in the above categories produced or manufactured in Thailand and which have been exported prior to April 1, 1972, shall not be subject to this directive.

Cotton textiles and cotton textile products in the above categories which have been released from the custody of the Bureau of Customs

<sup>1</sup> The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08

<sup>322.—01</sup> through 04, 06, 08

<sup>326.—01</sup> through 04, 06, 08

<sup>327.—01</sup> through 04, 06, 08 328.—01 through 04, 06, 08

under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of March 16. 1972, between the Governments of the United States and Thailand which provide, in part, that within the aggregate limit, the limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971

(36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the
Implementation of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-112)

 $Cotton\ textiles -- Restriction\ on\ entry$ 

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Mauritius

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 17, 1972.

There is published below the directive of March 29, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 39, manufactured or produced in Mauritius. This directive amends the directive of October 23, 1971, from the Chairman, President's Cabinet Textile Advisory Committee (T.D. 71–283).

This directive was published in the Federal Register on April 1, 1972 (37 F.R. 6704), by the Chairman, Committee for the Imple-

mentation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

March 29, 1972

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on October 23, 1971, from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textile products in Category 39, produced or manufactured in Mauritius.

The first paragraph of the directive of October 23, 1971 is amended to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to non-participants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning August 25, 1971 and extending through August 24, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 39, produced or manufactured in Mauritius. in excess of a level of restraint for the period of 61,500 dozen pairs."

The actions taken with respect to the Government of Mauritius and with respect to imports of cotton textiles and cotton textile products from Mauritius have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours.

STANLEY NEHMER. Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-113)

Cancellation with prejudice of Customhouse Broker's License Nos. 2943, 3510 and 3852, issued to George Carlo, Miami, Florida

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., April 17, 1972.

Notice is hereby given that the Acting Commissioner of Customs on April 17, 1972, pursuant to section 641, Tariff Act of 1930, as amended, and section 111.51(b), Customs Regulations, as amended, upon the specific request of George Carlo canceled with prejudice customhouse broker's licenses No. 2943 issued to him on April 4, 1956, for Customs Collection District No. 10 (now the Customs Region II, New York), No. 3510 issued to him on June 3, 1963, for Customs Collection District No. 18 (now the Customs District of Miami), and No. 3852 issued to him on October 20, 1966, for the Customs District of Tampa. The Commissioner's decision is effective as of April 17, 1972. (346.11)

> EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register April 22, 1972 (37 F.R. 7995)]

#### (T.D. 72-114)

#### Temporary importation under bond

Sale of Articles Imported Under a Temporary Importation Bond to a Domestic International Sales Corporation (DISC)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 18, 1972.

There is set forth below the abstract of a ruling dated March 24, 1972. This ruling clarifies the status of a temporary importation bond covering articles which are subsequently sold to a DISC.

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

Sale of articles imported under a temporary importation bond to a Domestic International Sales Corporation (DISC).—The sale of articles imported under a temporary importation bond to a DISC subsequent to importation would not violate the conditions of the bond taken under the authority of headnote 1, subpart 5C, schedule 8, Tariff Schedules of the United States. The actual articles imported must in fact be exported in accordance with the temporary importation law. Department memorandum dated March 24, 1972.

(516)

[Published in the Federal Register April 22, 1972 (37 F.R. 7995)]

#### (T.D. 72-115)

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 18, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

April 10,	1972	\$0.142950
April 11,	1972	. 1430
April 12,	1972	. 14305
April 13,	1972	. 1430
April 14,	1972	. 1429

#### Hong Kong dollar:

For the period March 6 through March 10, 1972, official rate of \$0.1790. Free rate not available.

#### Iran rial:

March 27, 1972	\$0,0131
March 28, 1972	.0131
March 29, 1972	
March 30, 1972	
	. 0131

#### Philippine peso:

For the period March 27 through March 31, 1972, rate of \$0.1550.

#### Thailand baht (tical):

For the period March 27 through March 31, 1972, rate of \$0.0479.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

### (T.D. 72-116)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., April 14, 1972.

The following are synopses of drawback rates and amendments issued January 23, 1967, to April 10, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approvals under section 22.6, Customs Regulations.

(731.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Ampicillin trihydrate; sodium ampicillin; sodium dicloxacil-

lin; sodium cloxacillin.—T.D. 71–74–0, covering penicillanic acid derivatives in the form of bulk powders or pre-mix combinations of bulk powders manufactured under section 1313(a) by Beecham Inc., Clifton, N.J., at its factory located at Piscataway, N.J., with the use of imported 6-amino penicillanic acid, amended to cover ampicillin trihydrate; sodium ampicillin; sodium dicloxacillin; and sodium cloxacillin; in dosage forms, manufactured by the company at the said factory with the use of ampicillin trihydrate; sodium ampicillin; sodium dicloxacillin; sodium cloxacillin; in bulk powder form, produced by the said company under drawback regulations.

Amendment effective on articles manufactured on and after April 1,

1968, and exported on and after May 1, 1968.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 19, 1971.

(B) Belting, conveyor, rubber coated.—T.D. 56328(B), covering such products manufactured under section 1313(a) by the Conveyor Belt Service, Inc., Duluth, Minn., with the use of uncured, frictioned, and skim coated fabric, amended to cover the foregoing products manufactured at the corporation's Virginia, Minn., factory, with the use of imported unvulcanized rubber cover gum, rubber cements, and splice tie gum.

Amendment effective on articles manufactured on and after Febru-

ary 2, 1970, and exported on and after February 11, 1970.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., January 26, 1972.

(C) Benzalphthalide; dienone; ami-carbinol; trienone; cyprocarbinol.—T.D. 54109-C, as amended, covering, among other things, chemical products and chemical intermediates manufactured under section 1313(b) by Merck & Co., Inc., Rahway, N.J., at its various factories with the use of various chemicals, further amended to cover the articles in the headnote hereof manufactured under section 1313(a) at the stated factories with the use of imported phenyl acetic acid and with the use of drawback benzalphthalide, dienone, and trienone; and to cover these articles manufactured under section 1313(b) with the use of phenyl acetic acid, benzalphthalide, dienone, and trienone.

Amendment effective on articles manufactured and exported on and

after April 15, 1970.

Supplemental statement of November 8, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., March 31, 1972.

(D) Beverages, carbonated.—T.D. 54040-B, as amended by T.D.'s 55612-A, 55765-B, 67-272-D, and 71-98-C, covering carbonated bever-

ages manufactured under section 1313(b), by Shasta Beverages, a Div. of Consolidated Foods Corp., Hayward, Calif., at its factories located at Hayward and LaMirada, Calif.; Seattle, Wash.; Omaha, Neb.; and Kenner, La., with the use of liquid refined invert sugar, further amended to cover the said articles manufactured at an additional factory located at Ketona, Ala.

Amendment effective on articles manufactured and exported on or

after January 1, 1971.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., January 12, 1972.

(E) CAO-4, CAO-6, CAO-14, and CAO-42 products.—T.D. 70-189-A, covering, among other things, CAO-1 (technical grade), CAO-3 (food grade), and CAO-5 (blend 29) manufactured under section 1313(b) by Ashland Chemical Co., Div. of Ashland Oil, Inc., Columbus, Ohio, at its Fords, N.J., factory, with the use of para cresol, amended to cover CAO-4, CAO-6, CAO-14, and CAO-42 manufactured by the company under section 1313(b) at the said factory with the use of para cresol.

Amendment effective on articles manufactured and exported on and

after September 29, 1969.

Supplemental statements of August 19, 1970, and April 12, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., April 10, 1972.

(F) Chemical products.—T.D. 67-130-E, as amended by T.D.'s 67-260-H, 68-248-Y, 69-218-H, and 69-218-V, covering, among other things, chemicals and chemical intermediates manufactured under section 1313 (a) and (b) by Ciba Corp., New York, N.Y., at its factories located at Toms River, Fair Lawn, and Summit, N.J., with the use of specified chemicals; and dyes, epoxy resins, tetrabromobisphenol and plastic pipe manufactured under section 1313 (b) by the corporation at its Toms River, N.J., El Dorado, Ark., and Burkburnett, Tex., factories with the use of specified chemicals, further amended to cover such articles manufactured at the said factories by Geigy Chemical Corp., Ardsley, N.Y., successor, and (2) to cover a change in name of the successor company to Ciba-Geigy Corp.

Amendment effective on articles covered by amendments (1) and (2) herein which are exported on and after October 21, 1970, the date of

succession and the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., June 25, 1971

(G) Confectionery products.—T.D. 53862—E, as amended by T.D. 55888—B, covering the foregoing products manufactured under section

1313(b) by Whitman Div., Pet Milk Co., Bala-Cynwyd, Pa., at its factory located at Philadelphia, Pa., with the use of hard refined sugar, further amended to cover a change in name of the company from Whitman Div., Pet Milk Co. to Whitman Chocolates Div., Pet Inc.

Amendment effective on articles exported on and after September 1, 1966, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., January 23, 1967.

(H) Electronic calculator.—Manufactured under section 1313(a) by Bowmar/Ali, Inc., Acton, Mass., with the use of imported 9-digit optosticks and inductor.

Rate effective on articles manufactured on and after September 1,

1971, and exported on and after October 1, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., November 4, 1971.

(I) Extracts, flavoring.—T.D. 69-74—H, covering flavoring extract manufactured under section 1313(d) by Monarch Citrus Products Co., Doraville, Ga., with the use of tax-paid alcohol, amended to cover a change in name of the company to Moxie—Monarch—Nugrape Co.

Amendment effective on articles exported on and after August 16,

1968.

Amendment issued by Regional Commissioner of Customs, New Orleans, La., August 18, 1971.

(J) Fruit cocktail and fruit for salad.—T.D. 66-247-L, covering the foregoing articles manufactured under section 1313 (b) by Tri-Valley Growers, San Francisco, Calif., at its factories located at San Jose, Stockton, and Modesto, Calif., with the use of pineapple tidbits, cmended to delete the Stockton, Calif., factory and to cover additional factories at San Jose, Calif. (designated as Plant No. 3) and at Modesto, Calif. (designated as Plant No. 7).

Amendment effective for Plant No. 3 on articles manufactured and exported on and after July 25, 1969; effective for Plant No. 7, on articles manufactured and exported on and after August 12, 1969.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., June 4, 1970.

(K) Canned fruit, fruit cocktail, fruit salad, fruit juices and canned tomato products.—T.D. 54163-B, as amended by T.D.'s 55596-N, 56436-G, and 56436-H, covering the foregoing articles manufactured under section 1313(b) by Tri-Valley Growers, San Francisco, Calif., at its factories located at San Jose, Stockton, and Mo-

desto, Calif., with the use of hard refined, or liquid sugar, or both, amended to cover additional factories at San Jose, Calif. (designated as Plant No. 3) and at Modesto, Calif. (designated as Plant No. 7) and to delete the factory at Stockton, Calif.

Amendment effective on articles manufactured and exported on and after July 25, 1969, for Plant No. 3 at San Jose, Calif., and on articles manufactured and exported on and after August 12, 1969, for Plant No. 7 located at Modesto, Calif.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., June 4, 1970.

(L) Leucopure EGM, (an optical brightener).—Manufactured under section 1313(a) by Sandoz Colors and Chemicals, Hanover, N.J., at its Fair Lawn, N.J., factory, with the use of imported NAPOF, an organic chemical raw material.

Rate effective on articles manufactured on and after January 1, 1971, and exported on and after January 25, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 3, 1972.

(M) Loaders, truck and front end (heavy equipment for industrial use).—T.D. 55596-I, covering the foregoing articles manufactured under section 1313(a) by Wagner Mining Scoop, Inc., Portland, Oreg., with the use of imported diesel engines, amended to cover a change in name of the company to Wagner Mining Equipment, Inc.

Amendment effective on articles exported after June 7, 1961.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., March 6, 1972.

(N) Lubricants (Robalene).—Manufactured under section 1313(a) by Robeco Chemicals, Inc., New York, N.Y., at its Brooklyn, N.Y., factory with the use of imported perhydrosqualene and pristane.

Rate effective on articles manufactured on and after October 12,

1971, and exported on and after December 7, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 2, 1972.

(O) Machines (for determining the strength of materials).—Manufactured under section 1313(a) by Instron Corp., Canton, Mass., with the use of imported machine parts and motor generators.

Rate effective on articles manufactured on and after September 1, 1970, and exported on and after October 25, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., December 16, 1971. (P) Malt, barley; and rye malt.—T.D. 48998-E, as amended by T.D.'s 50906-J and 51474-D, covering the aforesaid articles manufactured under section 1313(a) by National Malting Co. (a partnership), Paterson, N.J., with the use of imported barley and rye, further amended to cover the foregoing articles manufactured by National Malting Corp., Paterson, N.J., at its Paterson, N.J., factory, successor.

Amendment effective on articles exported on and after September 1,

1970, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 27, 1971.

(Q) Metallic yarns.—Manufactured under section 1313(a) by Dow Badische Co., Williamsburg, Va., with the use of imported or drawback polyester film.

Rate effective on articles manufactured on and after June 1, 1967,

and exported on and after September 7, 1967.

Rate issued by Regional Commissioner of Customs, Baltimore, Md., March 2, 1972.

(R) Milk products, processed sterilized.—T.D. 68–185(J), covering the foregoing products manufactured under 1313(b) by Avoset Co., 5131 Shattuck Ave., Oakland, Calif., at its factory located at Gustine, Calif., with the use of hard refined sugar, amended to cover such products manufactured by Avoset Food Corp., 80 Grand Ave., Oakland, Calif., successor.

Amendment effective on articles exported on or after December 15, 1969, the date of succession.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., January 18, 1972.

(S) Nonox WSP (a rubber additive) and H-7 adhesive.—T.D. 52765-D, as amended by T.D.'s 53472-B, 55964-B, 56255-B, 67-130-J, 67-183-D, and 71-105-E, covering, among other things, dyestuffs manufactured under section 1313(a) by ICI America Inc., Stamford, Conn., at its factory located at Dighton, Mass., with the use of imported dyestuff intermediates, further amended to cover (1) H-7 adhesive manufactured by the company with the use of imported 2 methyl cyclohexanol and H-7 trimmer; and to cover (2) Nonox WSP (a rubber additive) manufactured with the use of 2 methyl cyclohexanol and H-7 trimmer.

Amendment effective on articles covered by (1), above, which are manufactured and exported on and after January 2, 1969; and on articles covered by (2), above, which are manufactured and exported on and after January 1, 1971.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., November 5, 1971.

(T) Orcochrome Cyanine Green CGX.-T.D. 55580(Z), covering Nerosol Black R.F. manufactured under section 1313(a) by Organic Chemical Corp., East Province, R.I., with the use of imported coal tar derivatives, amended to cover Orcochrome Cyanine Green CGX manufactured with the use of imported 96% Acid Alizarine Green G.

Amendment effective on articles manufactured and exported on and after October 27, 1971.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., December 8, 1971.

(U) Pleasure boats.—Manufactured under 1313(a) by Glastron Boat Co., Austin, Tex., with the use of imported marine engines and outdrives.

Rate effective on articles manufactured on and after November 1, 1969, and exported on and after November 17, 1969.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., January 17, 1972.

(V) Plywood panels and plywood doorskins, prefinished.—T.D. 66-54-Q, as amended by T.D.'s 69-246-V and 71-167-Q, covering prefinished plywood panels manufactured under 1313(a) by Vanor Port Panel Co., Inc., Vancouver, Wash., at its factories at Vancouver, Wash., and Norfolk, Va., with the use of imported unfinished plywood panels, amended to cover prefinished plywood doorskins manufactured with the use of imported unfinished plywood doorskins.

Amendment effective on articles manufactured on or after January 1,

1971, and exported on or after August 2, 1971.

Amendment issued by Regional Commissioner of Customs, San Francisco, Calif., January 17, 1972.

(W) Polycarbonate.—T.D. 66-172-D, covering the foregoing articles manufactured under section 1313(b) by Mobay Chemical Co., Pittsburgh, Pa., at its New Martinsville, W. Va., factory with the use of bisphenol A, amended to cover the said products manufactured at the above-mentioned factory by Bachem Corp., Pittsburg, Pa.,

Amendment effective on articles exported on and after September 30, 1971, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., December 10, 1971.

(X) Polyesters.—Manufactured under section 1313(b) by Mobay Chemical Co., Div. of Baychem Corp., Pittsburgh, Pa., at its New Martinsville, West Va., factory with the use of trimethyol propane.

Rate effective on articles manufactured on and after April 1, 1970,

and exported on and after June 1, 1971.

Manufacturer's statement of February 15, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., March 30, 1972.

(Y) Polymers (polyols).—Manufactured under section 1313(b) by Mobay Chemical Co., Div. of Baychem Corp., Pittsburgh, Pa., at its New Martinsville, West Va., factory with the use of trimethyol propane.

Rate effective on articles manufactured on and after April 1, 1970,

and exported on and after June 1, 1971.

Manufacturer's statement of February 1, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., March 30, 1972.

(Z) Tractors, agricultural and industrial; other agricultural machines, parts, and equipment.—T.D. 44069–G, as extended by T.D. 44496–B, and amended by T.D. 54194–D, covering, among other things, diesel tractors and diesel traction engine units manufactured under section 1313(a) by J. I. Case Co., Racine, Wis., at its Racine, Wis., and Rock Island, Ill., factories with the use of imported steel diesel engine nozzles and nozzle holder assemblies, further amended to cover tractors manufactured under section 1313(a) by the company at its various factories with the use of imported side shift backhoe parts, diesel engines, fuel pumps, and injectors; and to cover agricultural and industrial tractors, and other agricultural machines, parts, and equipment manufactured under section 1313(b) by the company at its various factories with the use of steel plate, sheet, bars, and rods; structural steel pipe, tubing, angles, and channels; and steel track chain assemblies.

Amendment effective on articles manufactured on and after October

10, 1967, and exported on and after February 5, 1968.

Supplemental statements of August 19, 1971, March 7, 1972, and March 21, 1972, forwarded to Regional Commissioner of Customs, Chicago, Illinois, April 4, 1972.

#### Approvals under section 22.6, Customs Regulations

(1) Jute bags, waterproof paper lined burlap bags; polyethylene strip laminated burlap bags; cotton bags.—T.D. 43483—A, as amended by T.D.'s 44217—C, 55263(1), 68–230(1), and 70–109(1), covering,

among other things, burlap bags manufactured under section 1313(a) by Werthan Bag Corp., Nashville, Tenn., at its Nashville, Tenn., and New Orleans, La., factories with the use of imported burlap, amended to cover woven polyethylene bags or similar types of bags manufactured with the use of imported or drawback woven fabrics of olefin origin.

Amendment effective on articles manufactured and exported on

and after December 2, 1971.

Amendment issued by Regional Commissioner of Customs, New Orleans, La., December 23, 1971.

(2) Petroleum products.—Manufactured under section 1313(b) by South Refining, Inc., Tacoma, Wash., with the use of crude petroleum or petroleum derivatives.

Approval effective on articles manufactured on and after June 1,

1968, and exported on and after October 1, 1968.

Statement of October 28, 1970, forwarded to Regional Commissioner of Customs, San Francisco, Calif., March 21, 1972.

(3) Piece goods, dyed and finished.—Manufactured under section 1313(a) by Sunbrite Dye Co., Inc., Passaic, N.J., with the use of imported or drawback piece goods in the greige.

Approval effective on articles manufactured on and after Septem-

ber 1, 1969, and exported on and after March 31, 1970.

Manufacturer's statement of September 24, 1971, approved by Regional Commissioner of Customs, New York, N.Y., November 5, 1971.

### (T.D. 72-117)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 24, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by

figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount	
Cascade Shipping Co. (An Ore. Corp.), P.O.B. 3404, Terminal Island, Calif.; St. Paul Fire & Marine Ins. Co.	Mar. 21, 1972	Mar. 21, 1972	Los Angeles, Calif.; \$10.000	
Columbia-Atlantic Transportation & Terminals Inc. (A Va. Corp.), 5360 Eisenhower Ave., Alexandria, Va.; Mid Century Ins. Co.	Feb. 29, 1972	Mar. 29, 1972	New York Seaport; \$10,000	
Common Container Agency Ltd. (A N.Y. Corp.), 61 Broadway, New York, N.Y.; Peerless Ins. Co.	Mar. 27, 1972	Mar. 28, 1972	New York Sea- port; \$10,000	
Detroit Processing Terminal, Div. of Nor-Cote, Inc., 4485 W. Jefferson Ave., Detroit, Mich.; Reliance Ins. Co. D 3/28/72	Jan. 9,1970	Jan. 19, 1970	Detroit, Mich.; \$10,000	
Eckert Overseas Agency Inc. (A N.Y. Corp.), 19 Rector St., New York, N.Y.; Federal Ins. Co.	Mar. 21, 1972	Mar. 21, 1972	New York Sea- port; \$10,000	
Kurt Pilatzek, an individual, dba Empire Imports, 2211 W. Pico Blvd., Los Angeles, Calif.; St. Paul Fire & Marine Ins. Co. D 4/6/72	Apr. 18,1969	Apr. 25, 1969	Los Angeles, Calif.; \$10,000	
Gulistream Shipping Corp. (A Fla. Corp.), P.O.B. 13138, Ft. Lauderdale, Fla.; Hartford Accident & Indemnity Co. (FB 2/28/71) D 2/28/72	Feb. 28, 1972	Feb. 28, 1972	Miami, Fla.; \$10,000	
I.M.I. Associates Inc. (A N.Y. Corp.), 261 Madison Ave., New York, N.Y.; Peerless Ins. Co.	Mar. 9, 1972	Mar. 9, 1972	New York Sea- port; \$10,000	
Marubeni America Corp. (A N.Y. Corp.), 200 Park Ave., New York, N.Y.; Peerless Ins. Co. (PB 12/1/71) D 4/6/72 1	Jan. 1,1972	Apr. 6, 1972	Los Angeles, Calif.; \$10,000	
Mitsui & Co. (USA) Inc., 200 Park Ave., New York, N.Y.; Peerless Ins. Co.	Dec. 24, 1971	Dec. 27, 1971	New York Sea- port; \$10,000	
Vincent B. Pellegrino, an individual, 95 West St., New York, N.Y.; Peerless Ins. Co.	Mar. 14, 1972	Mar. 14, 1972	New York Sea- port; \$10,000	
Stresskin Products Co., A Div. of Tool Research & Engineering Corp. (A Del. Corp.), 3030 Red Hill Ave., Santa Ana, Calif.; St. Paul Fire & Marine Ins. Co.	Mar. 15, 1972	Apr. 6, 1972	Los Angeles, Calif.; \$10,000	
Will Ross Inc. (A Wis. Corp.) & its Div. Matheson Gas Products, 932 Paterson Plank Rd., E. Rutherford, N.J.; Peerless Ins. Co.	Mar. 16, 1972	Mar. 16, 1972	New York Sea- port; \$10,000	
Jan C. Uiterwyk Co., Inc., 715 E. Bird St., Tampa, Fla.; Fireman's Fund Ins. Co. (PB 1/1/71) D 3/24/72 2	Jan. 1, 1972	Mar. 24, 1972	Tampa, Fla.; \$10,000	

<sup>&</sup>lt;sup>1</sup> Principal is Marubeni-Iida (America) Inc. (A N.Y. Corp.)

(542.113)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is Continental Casualty Co.

#### (T.D. 72-118)

#### Tuna fish-Tariff rate quota

The tariff-rate quota for the calendar year 1972 on tuna classifiable under item 112.30, Tariff Schedules of the United States

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., April 25, 1972.

It has now been determined that 78,531,760 pounds of tuna may be entered for consumption or withdrawn from warehouse for consumption during the calendar year 1972 at the rate of 6 per centum ad valorem under item 112.30, Tariff Schedules of the United States. Any such tuna which is entered, or withdrawn from warehouse, for consumption during the current calendar year in excess of this quota will be dutiable at the rate of 12.5 per centum ad valorem under item 112.34 of the tariff schedules.

Pursuant to the provisions of item 112.30, Tariff Schedules of the United States, the above quota is based on the United States pack of canned tuna during the calendar year 1971.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register May 2, 1972 (37 F.R. 8889)]

#### (T.D. 72-119)

 $Articles\ exported\ and\ returned-Customs\ Regulations\ amended$ 

Articles exported from the United States and returned under items 800.00, 805.00, 806.20, 806.30, and 807.00, Tariff Schedules of the United States - sections 10.1, 10.2, and 10.8 of the Customs Regulations, amended, and new section 10.9 anded to Part 10

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19-CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

On May 4, 1971, a notice of proposed rule making to amend the Customs Regulations pertaining to merchandise exported from the United States and returned under items 800.00, 805.00, 806.20, 806.30, and 807.00, Tariff Schedules of the United States, was published in the Federal Register (36 F.R. 8312). Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendments. Representations submitted pursuant to the notice have been carefully considered.

Editorial changes have been made in section 10.1(g), (h), and (i) to add cross reference to section 8.6(n), added by T.D. 72-3, which makes optional the production of documentary evidence of the right to make entry in certain cases. Additionally, in section 10.1(g) the words "and with or without alterations or other change in condition in this country" are deleted as unnecessary, and in section 10.2 the headings in the declaration required are corrected.

Accordingly, the proposed amendments are hereby adopted as set forth below.

Effective date. These amendments shall become effective 30 days after publication in the Federal Register.

(511.4)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved April 24, 1972:
EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

(Published in the Federal Register May 2, 1972 (37 F.R. 8867)]

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Section 10.1 is amended to read:

§ 10.1. Domestic products; requirements on entry.—(a) Except as otherwise provided for in this part, the following documents shall be filed in connection with the entry of articles claimed to be free of duty under item 800.00 and item 805.00, Tariff Schedules of the United States:

(1) A declaration by the foreign shipper in substantially the following form, if the value of the returned articles exceeds \$1,000:

I,	-	,	declare	that t	o the	best	of my
knowledge and	belief the	articles her	ein spec	ified ar	e pro	ducts	of the
United States;							
the port of		on or a	bout			, 19	);

that they are returned without having been advanced in value or improved in condition by any process of manufacture or other means.

Marks	Number	Quantity	Description	Value, in U.S. coin
	(Date)			(Signature)
(A	(ddress)			(Capacity)

(2) A declaration for free entry by the owner, importer, con-

signee, or agent on the top portion of Customs Form 3311.

(3) A Certificate of Exportation on the bottom portion of Customs Form 3311 executed by the district director of customs at the port from which the merchandise was exported. Such certificate shall show whether drawback was claimed or paid on the merchandise covered by the certificate and, if any was paid, the amount thereof. This certificate shall be issued on application of the importer, or of the district director at the importer's request, and shall be mailed by the issuing officer directly to the port at which it is to be used. If the merchandise has been exported from the port at which entry is made and the fact of exportation appears on the records of the customhouse, the fact of reimportation shall be noted on such export record. In such case the filing of the certificate on Customs Form 3311 shall not be required.

(b) If, in any case where the appraising officer's report does not show definitely that merchandise the value of which exceeds \$1,000 is of domestic origin, Customs Form 3311 has not been executed by the owner or ultimate consignee, the district director may require the execution of such form by the owner or ultimate consignee. In such a case Customs Form 3311 shall be filed within 3 months after the date of the demand therefor upon the person in whose name the entry was filed. If the owner or ultimate consignee is a corporation, such form may be signed by the president, vice president, secretary, or treasurer of the corporation, or may be signed by any employee or agent of the corporation who holds a power of attorney executed under the conditions outlined in section 8.19 of this chapter and a certification by the corporation that such employee or other agent has or will have knowledge of the pertinent facts. In the case of articles which are unquestionably the products of the United States and which have not been advanced in value or improved in condition, if the district director is satisfied from the character thereof or otherwise that they are free of duty under Schedule 8, Part 1, Tariff Schedules of the United States, and if the total value of the articles of American origin contained in the shipment does not exceed \$250, the execution of Customs Form 3311 shall not be required therefor, except when used as an entry under paragraph (g), (h), or (i) of this section.

(c) A certificate from the master of a vessel stating that products of the United States are returned without having been unladen from the exporting vessel may be accepted in lieu of the declaration of the foreign shipper required by paragraph (a) (1) of this section.

(d) If the district director is reasonably satisfied that because of the nature of the articles, or production of other evidence, the articles are imported in circumstances as to meet the requirements of item 800.00 or 805.00 and the related headnotes, they may waive the documents required by paragraphs (a) and (b) of this section, except when Customs Form 3311 is used as an entry under paragraphs (g), (h), or (i) of this section.

(e) No evidence relative to the conditions of item 800.00 shall be required in the case of articles the product of the United States in use at the time of importation as the usual coverings or containers of merchandise not subject to an ad valorem rate of duty unless such articles would be dutiable if not products of the United States under General

Headnote 6, Tariff Schedules of the United States.

- (f) In the case of photographic films and dry plates manufactured in the United States (except motion picture films to be used for commercial purposes) exposed abroad and entered under item 805.00, the requirements of paragraphs (a), (b), and (c) of this section are applicable except that the declaration on Customs Form 3311 to the effect that the articles "are returned without having been advanced in value or improved, in condition by any process of manufacture or other means" shall be crossed out, and the entrant shall show on the form that the subject articles when exported were of U.S. manufacture and are returned after having been exposed, or exposed and developed, and, in the case of motion picture films, that they will not be used for commercial purposes. This modification shall also be made in the declaration by the foreign shipper provided for in paragraph (a) (1) of this section.
- (g) In the case of aircraft and parts and equipment therefor which are returned to the United States by or for the account of an aircraft owner or operator and are intended for use in his or its own aircraft operations, either within or outside the United States, entry thereof may be made under item 800.00 on Customs Form 3311, executed by the importer and supported by proper evidence of the right to make the entry (except as provided in section 8.6(n) of this chapter), but without the other documents described in this section and without the giving of a bond to produce any of them, when there is no question that

the articles are products of the United States and it satisfactorily appears that they have not been improved in condition or advanced in value while abroad and that no drawback has been or will be paid on them. In such a case, the entrant shall show on Customs Form 3311 after the words "returned to" the name and address of the aircraft owner or operator by whom or for whose account the articles were returned. The entrant shall also show on Customs Form 3311 the name of the importing conveyance, the date of its arrival, the value of the articles, and that they are intended for use in the aircraft owner's, or operator's, own aircraft operations.

(h) Entry of nonconsumable stores and equipment of a vessel may be made under item 800.00 on Customs Form 3311, in duplicate, executed by the importer and supported by proper evidence of the right to make entry (except as provided in section 8.6(n) of this chapter), when there is no question that the articles are products of the United States, and it satisfactorily appears that they have not been improved in condition or advanced in value while abroad: that no Customs drawback has been or will be paid on them, and that duty is not payable thereon because of an internal revenue tax. The declaration of the foreign shipper and the certificate of exportation are not required in connection with an entry on Customs Form 3311. In satisfying himself that no Customs drawback was allowed on the articles in connection with their removal from the United States, the Customs officer may accept the written declaration of the master or other person having knowledge of the facts showing that the articles left this country on a United States vessel or a vessel operated by the United States Government as stores or equipment thereof and that they were not landed in a foreign country except for any needed repairs, adjustments, or refilling and return to the vessel from which landed or for transshipment to another vessel as stores or equipment thereof. Such declaration may be made on the reverse side of the entry on Customs Form 3311. The entrant shall show on Customs Form 3311 the name of the importing vessel, the date of its arrival, and the value of the articles.

(i) When the total value of articles of claimed American origin contained in any shipment does not exceed \$250 and such articles are found to be unquestionably products of the United States and do not appear to have been advanced in value or improved in condition while abroad and no quota is involved, free entry thereof may be made under item 800.00 on Customs Form 3311, executed by the owner, importer, consignee, or agent and filed in duplicate, without regard to the requirement of a certificate of exportation or evidence of similar purport, unless the Customs officer has reason to believe that Customs drawback or exemption from internal revenue tax, or both, were probably allowed

on exportation of the articles or that they are otherwise subject to duty. The entrant shall show on Customs Form 3311 the name of the importing conveyance, the date of its arrival, the name of the country from which the articles were returned to the United States, and the value of the articles. The entrant shall also produce evidence of his right to make entry (except as provided in section 8.6(n) of this chapter). If the Customs officer is not entirely certain that the articles to be entered under this paragraph by a nominal consignee are products of the United States, the actual owner or ultimate consignee thereof may be required to execute a Customs Form 3311.

Section 10.2 is amended to read as follows:

with the entry of under item 807.0	The following farticles claim 0, Tariff Scheoation by the	document ned to be p lules of the person w	partially exempt the United States who performed	in connection ed from duty , as amended: the assembly
I,		, de	clare that to th	e best of my
knowledge and l				
bled in whole o				
below, which ar				
	iption of comp			
Marks of identifi- cation, numbers	Description of component	Quantity	Unit value at time and place of export from United States*	Port and date of export from United States
Description o components, inc			abroad on the	
(Date)			(8	lignature)
(1444)				Canadita)

(b) An endorsement of the owner, importer, consignee, or agent, in substantially the following form:

<sup>\*</sup>In accordance with Headnote 3, Part 1B, Schedule 8, Tariff Schedules of the United States.

I declare that the (above) (attached) declaration of \_\_\_\_\_\_ is correct in every respect and there has been compliance with all pertinent headnotes of the Tariff Schedules of the United States.

(Date) (Signature)
(Address) (Capacity)

(c) If the district director is satisfied because of the nature of the articles or production of other evidence, for example, pertinent business records or copies of shipper's export declarations, that the exported components are U.S. products assembled in such circumstances as to meet the requirements of item 807.00 and related headnotes, he may waive the documents required in paragraphs (a) and (b) of this section.

Section 10.8 is amended to read:

- § 10.8 Articles exported for repairs or alterations.—(a) Before the exportation of articles subject on return to the United States to duty on the value of the repairs or alterations performed abroad as provided for in item 806.20, Tariff Schedules of the United States, a Certificate of Registration (top portion of Customs Form 4455) shall be filed (in an original only) by the owner or exporter with the district director of customs at a time prior to the departure of the exporting conveyance which will permit an examination of the articles. The applicant shall be notified by the district director of the place to which he shall deliver the articles for examination. All expense in connection with the delivery of the articles, cording, sealing, marking, and transfer to the exporting conveyance, shall be borne by the exporter. The articles shall be exported under Customs supervision, except those articles exported by mail which can be identified by manufacturer's mark or number. A photograph or other means of identification shall be furnished when required by Customs officers.
- (b) When the report of the Customs officer showing the examination of the articles and their lading on the exporting conveyance or their delivery for mailing has been endorsed on the Customs Form 4455 covering such articles, the form shall be given to the exporter for use in connection with the return of the articles. If the articles are being exported through the mails and the Customs Form 4455 has been completed in duplicate, the Customs officer shall enclose the duplicate copy of the form in the package being exported. The owner or exporter, in all other cases, may enclose a duplicate copy of the certificate with the articles being exported in any other manner for repairs or alterations. In order to facilitate the entry of articles, regardless of the mode of exportation, the foreign shipper may include a dupli-

cate copy of the registration certificate, completed prior to exportation, in the returned package.

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(c) When an exporter resides more than 20 miles from a Customs office, articles being exported for repairs or alterations through the mail, may, in accordance with the following procedures which have been approved by the Post Office Department, be exported through a local post office:

(1) The articles shall be delivered to the postmaster in an unpacked condition:

(2) Customs Form 4455 completed in original and duplicate shall

be presented to the postmaster with the articles;

(3) The original Customs Form 4455 with the Certificate of Registration executed by the postmaster shall be returned to the exporter for use, if necessary, in clearing articles on their return to the United States;

(4) The duplicate Form 4455 shall be enclosed in the parcel with the articles being exported and shall accompany the articles on their return to the United States to facilitate processing the entry; and

(5) The exporter shall bear all expense incurred under this procedure, including charges assessed by the United States Postal Service.

(d) When articles other than those exported by mail or parcel post are examined and registered at one port and exported for repair or alterations through another port, they shall be forwarded to the port of exportation under a transportation and exportation entry.

(e) There shall be filed in connection with an entry covering articles entered under the provisions of item 806.20, a declaration from the person who performed such repairs or alterations in substantially the following form:

I,	are the	artic	eles which			(Place and that the tion in w	arti	cles l	
	from	the	United	States,	were	received			
						ne and add			

exporter in the United States)

me (us) for the sole purpose of being repaired or altered; that only the repairs or alterations described below were performed by me (us); that the full cost or (when no charge is made) fair market value of such repairs or alterations are correctly stated below; and that no substitution whatever has been made to replace any of the articles originally received by me (us) from the owner or exporter thereof mentioned above.

Marks and numbers	Description of articles and of repairs or alterations	Full cost or (when no charge is made) fair market value of repairs or alterations*	Total value of article after repairs or alterations
(Date)		ortonia partir la pa	(Signature)
(Address)	art 1B, Schedule 8, Tarii		(Capacity)
of Registration owner, importer that the articles the same articles ration shall also fair market val the entry. When of Registration at one port of a cin value, the dimerchandise is a cion certificate a use in connectic certificate.  (g) When all tion (Customs I of entry, in the shall be filed with the owner, imp facts, that the a are a portion of This certificatio (Customs Form	all be filed in connect (Customs Form 44 cr., consignee, or ages entered in their secovered by the Ceres show that the full use of the repairs of all of the merce (Customs Form 4 centry, in the case of strict director at the entered shall note that the and return the cert on with any furth the merchandise of Form 4455) is not case of importation that the entry at the orter, consignee, our ticles entered in the articles covered in the shall be filed in life 4455), in the follow fy that the merchand of the true of the true of the shall be filed in life 4455, in the follow fy that the merchand of the true of true of the true of the true of true of the true of true of the true of t	at the part of the	tion made by the edge of the facts red condition are ation. This deplaced charge is made) by the Certificate at one time or of exceeding \$250 by portion of the d on the registramitter thereof for covered by such licate of Registrame or at one port ress of \$250, there he certification of the altered condition to of Registration.
datedCustoms Form	, is a portion	of the merchandis	se exported under
Customs Form		ertificate of registra	tion No.)

for the purpose and with the intent of \_

(Name of foreign consignee)

(Repairing or altering)

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the articles in the foreign country. I further certify that original Customs Form 4455 has been charged with the quantities herein, identified with the entry and port, and will be maintained at \_\_\_\_\_\_ for a period of 2 years after the

(Firm and address)

final liquidation of the final quantity covered by such Certificate of Registration, for verification by appropriate Customs officers.

(h) The Certificate of Registration (Customs Form 4455) referred to in paragraph (g) of this section shall be retained by the firm therein referred to for a period of 2 years from the date of final liquidation of the final quantity covered by the Certificate of Registration for verification by appropriate Customs officers. Each quantity entered shall be accounted for in such a manner as to identify the specific entry (entry number), and port of entry, with the total quantity of the exported articles on the reverse side of the Certificate of Registration (Customs Form 4455) until the total quantity has been entered.

(i) If the district director concerned is satisfied because of the nature of the articles, or production of other evidence, that the articles are imported under circumstances meeting the requirements of item 806.20 and related headnotes, he may waive the declaration provided

for in paragraphs (e) and (f) of this section.

(j) In the event there has been compliance with registration requirements set forth in paragraph (a) of this section and Customs Form 4455 is not available at the time of entry, the district director may waive the production of Customs Form 4455 provided the merchandise is entered at one time at one port of entry, and he is satisfied that the returned merchandise meets the requirements of item 806.20 and related headnotes.

(k) In any case where an imported article was exported for repairs or alterations without compliance with the registration requirements of this section, the district director may waive the production of Customs Form 4455 if he is satisfied that the returned merchandise is entitled to entry under item 806.20 and that the failure to comply with the registration requirements was due to inadvertance, mistake, or inexperience, and not to negligence or bad faith. The district director may also, in his discretion, waive the registration requirements of this section, prior to exportation of the articles, upon application in writing by an exporter-importer located within his district when it is indicated that the duty on merchandise would be less than \$25 if not within the purview of item 806.20 and it is indicated that the shipment on its return to the United States will be covered by a mail or other informal entry. Customs Form 4455, appropriately modified, may be used by the district director in issuing the waiver.

(1) The district director shall require at the time of entry a deposit

of estimated duties based upon the full cost or fair market value, as the case may be, of the repairs or alterations. The cost or fair market value, as the case may be, of the repairs or alterations outside the United States, which is to be set forth in the invoice and entry papers as the basis for the assessment of duty under item 806.20, shall be limited to the cost or value of the repairs or alterations actually performed abroad, which will include all domestic and foreign articles furnished for the repairs or alterations, but shall not include any of the expenses incurred in this country whether by way of engineering costs, preparation of plans or specifications, and furnishing of tools or equipment for doing the repairs or alterations abroad or otherwise.

Part 10 is amended to add a new § 10.9 reading:

§ 10.9 Articles exported for processing.—(a) Before the exportation of articles subject on return to the United States to duty on the value of the processing performed abroad as provided for in item 806.30, a Certificate of Registration (top portion of Customs Form 4455) shall be filed (in an original only) by the owner or exporter with the district director of customs at a time prior to the departure of the exporting conveyance which will permit an examination of the articles. A statement shall be included on the reverse side of Customs Form 4455 by the exporter or owner substantially as follows:

The articles described in this certificate were manufactured in the United States by \_\_\_\_\_\_\_\_; or, if of foreign origin, were subjected to \_\_\_\_\_\_\_\_(Name and address)

(Show processes of manufacture, such as molding, \_\_\_\_\_\_\_in the United States by \_\_\_\_\_\_\_\_.

(Name and address)

The articles in their changed conditions will be returned for further processing by \_\_\_\_\_\_\_\_.

(Name and address)

(b) The applicant shall be notified by the district director of the place to which he shall deliver the articles for examination. All expense in connection with the delivery of the articles, cording, sealing, marking, and transfer to the exporting conveyance, shall be borne by the exporter. The articles shall be exported under Customs supervision, except those articles exported by mail which can be identified by manufacturer's mark or number. A photograph or other means of identification shall be furnished when required by the Customs officer.

(c) When the report of the Customs officer showing the examination of the articles and their lading on the exporting conveyance or their delivery for mailing has been endorsed on the Customs Form 4455 covering such articles, the form shall be given to the exporter

for use in connection with the return of the articles. If the articles are being exported through the mails and the Customs Form 4455 (Certificate of Registration) has been completed in duplicate, the Customs officer shall enclose the duplicate copy of the form in the package being exported. The owner or exporter, in all other cases, may enclose a duplicate copy of the certificate with the articles being exported in any manner for processing. In order to facilitate the entry of an article, regardless of the mode of exportation, the foreign shipper may include a duplicate copy of the registration certificate, completed prior to exportation, in the returned package.

(d) When articles other than those exported by mail or parcel post are examined and registered at one port and exported for processing through another port, they shall be forwarded to the port of exporta-

tion under a transportation and exportation entry.

(e) There shall be filed in connection with an entry covering articles entered under the provisions of item 806.30, a declaration by the person who performed the processing abroad in substantially the following form:

I	o de la coloridada de l	- 10 (102)		, d		Place and that the			erein
	are the	articles	which,	in the	condi	tion in w	hich	they	were
			-			received	•	me	(us) ;

(Name and address of owner or exporter in the United States)

that they were received by me (us) for the sole purpose of being processed; that only the processing described below was effected by me (us); that the full cost or (when no charge is made) fair market value of such processing and the value of the articles after processing are correctly stated below; and that no substitution whatever has been made to replace any of the articles originally received by me (us) from the owner or exporter thereof mentioned above.

Marks and numbers	Description of articles and of processing	full cost or (when no charge is made) fair market value of processing*	Total value of article after processing
To see the see		7.1	

<sup>\*</sup>See Headnote 2, Part 1B, Schedule 8, Tariff Schedules of the United States.

<sup>(</sup>f) There shall be filed in connection with the entry the Certificate of Registration (Customs Form 4455) and a declaration made by the

owner, importer, consignee, or agent having knowledge of the facts that the articles entered in their processed condition are the same articles covered by the Certificate of Registration. This declaration shall also show that the full cost or (when no charge is made) fair market value of the processing is correctly stated in the entry. There shall be included a concise statement as to the nature of the processing performed outside the United States immediately prior to the current importation and to the processing to be performed thereafter in the United States, showing the name and address of the processor who will do the subsequent processing. When all of the merchandise covered by the Certificate of Registration (Customs Form 4455) is not entered at one time or at one port of entry, in the case of importations not exceeding \$250 in value, the district director at the port where any portion of the merchandise is entered shall note the quantity entered on the registration certificate and return the certificate to the submitter thereof for use in connection with any further importation covered by such certificate.

(g) When all the merchandise covered by the Certificate of Registration (Customs Form 4455) is not entered at one time or at one port of entry, in the case of importations valued in excess of \$250, there shall be filed with the entry at the time of entry the certification of the owner, importer, consignee, or agent having knowledge of the facts, that the articles entered in their processed condition are a portion of the articles covered by such certificate of registration. This certificate shall be filed in lieu of the Certificate of Registration (Customs Form 4455) in the following form:

I hereby certify th	at the merchandise covered by entry No.
dated	_ is a portion of the merchandise exported under
Customs Form 4455_	dated dated
	(O-10-1-0

to \_\_\_\_\_\_, for the purpose and with the intent

(Name of foreign consignee) of processing the metal articles in the foreign country and the further processing of the metal articles upon subsequent importation into the United States.

I further certify that original Customs Form 4455 has been charged with the quantities herein identified with the entry and port, and will be maintained at

for a period of 2 years after the final liquidation of the final quantity covered by such Certificate of Registration, for verification by appro-

priate Customs officers.

(h) The Certificate of Registration (Customs Form 4455) referred to in paragraph (g) of this section shall be retained by the firm therein referred to for a period of 2 years from the date of final liquidation of the final quantity covered by the Certificate of Registration for verification by appropriate Customs officers. Each quantity entered shall be accounted for in such a manner as to identify the specific entry (entry number), and port of entry with the total quantity of the exported articles on the reverse side of the Certificate of Registration (Customs Form 4455) until the total quantity has been entered.

(i) If the district director concerned is satisfied, because of the nature of the articles or production of other evidence, that the articles are imported in circumstances meeting the requirements of item 806.30 and related headnotes, he may waive the declaration provided for in

paragraphs (e) and (f) of this section.

(j) In the event there has been compliance with the registration requirements (Customs Form 4455) set forth in paragraph (a) of this section and such form (Customs Form 4455) is not available at the time of entry, the district director may waive the production of Customs Form 4455 provided the merchandise is entered at one time at one port of entry, and he is satisfied that the returned merchandise meets the requirements of item 806.30, Tariff Schedules of the United States, and the related headnotes.

(k) In any case where an imported article was exported for processing without compliance with the registration requirements of this section, the district director may waive the Customs Form 4455 if he is satisfied that the returned merchandise is entitled to entry under item 806.30, and that the failure to comply with the registration requirements was due to inadvertence, mistake, or inexperience, and not to negligence or bad faith. The district director may also, in his discretion, waive the registration requirements of this section, prior to exportation of the articles, upon application in writing by an exporter-importer located within his district when it is indicated that the duty on the merchandise would be less than \$25 if not within the purview of item 806.30, and it is indicated that the shipment on its return to the United States will be covered by a mail or other informal entry. Customs Form 4455, appropriately modified, may be used by the district director in issuing the waiver.

(1) The district director shall require at the time of entry a deposit of estimated duties based upon the full cost or fair market value, as the case may be, of the processing. The cost or fair market value, as the case may be, of the processing outside the United States which is set forth in the invoice and entry papers as the basis for the assessment of duty under item 806.30, shall be limited to the cost or value of the processing actually performed abroad (including all domestic and

foreign articles used in the processing, but does not include the exported United States metal article) and shall not include any of the expenses incurred in this country, whether by way of engineering costs, preparation of plans or specifications, and the furnishing of tools or equipment for doing the processing abroad, or otherwise.

(R.S. 251, as amended, 77A Stat. 14, sec. 624, 46 Stat. 759; 19 U.S.C.

66, 1202 (Gen. Hdnte. 11), 1624)

# (T.D. 72–120).

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 25, 1972.

. The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

# Denmark krone:

April 17, 1972	\$0.1429
April 18, 1972	. 1429
April 19, 1972	. 1428
April 20, 1972	1429
April 21, 1972	. 1430

Hong Kong dollar:	Official	die		Free	
March 13, 1972	\$0.1800	y 181 14	Not	available	
March 14, 1972	. 1796	101 -10-114	Ter J	"	
March 15, 1972	. 1800			"	
March 16, 1972	. 1790			"	
March 17, 1972	. 1810		141	46	

# Iran rial:

	AT REAL PROPERTY AND ADDRESS OF THE PARTY OF	
April 3,	1972	\$0.0131
April 4,	1972	.0132
April 5,	1972 12 10 10 10 10 10 10 10 10 10 10	. 0132
April 6,	1972	. 0132
April 7,	1972	. 0132

Philippine peso:

For the period April 3 through April 7, 1972, rate of \$0.1550.

Thailand baht (tical):

For the period April 3 through April 7, 1972, rate of \$0.0479.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,
Acting Commissioner of Customs.

(T.D. 72–121)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 24, 1972.

The following are synopses of drawback rates and amendments issued August 16, 1971, to March 28, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Arginine Aspartic Acid (Acide Succeynylguanidine-L-Aminopentanoique).—Manufactured under section 1313(a) by Napp Chemicals, Inc., Clifton, N.J., with the use of imported L-Arginine Free Base and L-Aspartic Acid.

Rate effective on articles manufactured and exported on and after

September 15, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 7, 1971.

(B) Automobile parts, fabricated metal.—T.D. 72-44-G, which amended T.D. 70-66-I, covering fabricated metal automobile parts manufactured under section 1313(b) by Modern Tool & Die Co., Cleveland, Ohio, at its factories located at Strongsville, Parma, and Willard, Ohio, with the use of hot rolled, pickled and oiled, cold rolled, and galvanized coil or sheet steel, to cover (1) a change in

name of the manufacturer to MTD Products Inc., Cleveland, Ohio, and (2) to change the basis of claims for drawback from an abstract to schedule basis, amended to provide for a change in the effective date for the allowance of drawback on the articles covered by (2) above, in T.D. 72-44-G.

Amendment effective on articles covered by (2) above, which are

manufactured and exported on and after February 9, 1968.

Supplemental statement of March 6, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., March 22, 1972.

(C) Bladex and Bladex 80% wettable powder.—Manufactured under 1313(a) by Shell Chemical Co., Div. of Shell Oil Co., at its Denver plant located at Commerce City, Colo., with the use of imported Cyanuric Chloride (CYC).

Rate effective on articles manufactured on and after March 1, 1970.

and exported on and after January 1, 1971.

Rate issued by Regional Commissioner of Customs, Houston, Tex., December 23, 1971.

(D) Cocoa powder.—Manufactured under section 1313(a) by Columbia Processing Corp., Hillside, N.J., with the use of imported cocoa cake.

Rate effective on articles manufactured on and after June 1, 1971, and exported on and after August 30, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 6, 1971.

(E) Diesel engines, diesel engine parts; mine hoists and parts and subassemblies.-T.D. 52972-B, as amended, covering, among other things, diesel engines manufactured under section 1313(a) by Nordberg Manufacturing Co., Milwaukee, Wis., at its St. Louis, Mo., factory with the use of imported high pressure turbochargers; and diesel engines and diesel engine parts manufactured under section 1313(b) by the company at its Milwaukee, Wis., factory with the use of fuel nozzles, connecting rods, and crankshafts, further amended to cover (1) such products manufactured by Nordberg-Division of Rex Chainbelt Inc., Milwaukee, Wis., successor, at the said factories under section 1313 (a) and (b), and (2) to cover mine hoists and parts thereof, and subassemblies thereof, and parts of subassemblies manufactured by the company at its Milwaukee, Wis., factory with the use of hot rolled steel plate.

Amendment effective on articles covered by (1), above, which are exported on and after September 30, 1970, the date of succession, and on articles covered by (2), above, which are manufactured on and after

October 7, 1970, and exported on and after June 29, 1971.

Supplemental statements of April 7, 1971, April 8, 1971, and February 15, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., March 28, 1972.

(F) Food products.—Manufactured under section 1313 (a) by Krause Milling Co., 611 E. Wisconsin Ave., Milwaukee, Wis., at its factories located at Milwaukee, Wis., and St. Joseph, Mo., with the use of white, refined, granulated sugar.

Rate effective on articles manufactured and exported on and after

October 29, 1971.

Rate issued by Regional Commissioner of Customs, New Orleans, La., December 1, 1971.

(G) Food products.—Manufactured under section 1313 (b) by General Mills, Inc., Minneapolis, Minn., at its Minneapolis, Minn.; W. Chicago, Ill.; Toledo, Ohio; St. Charles, Ill.; Buffalo, N.Y.; Cedar Rapids, Iowa; Chicago, Ill.; Lancaster, Ohio; and Lodi, Calif., factories with the use of hard refined sugar.

Rate effective on articles manufactured on and after August 15, 1971,

and exported on and after October 15, 1971.

Manufacturer's statement of January 31, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., March 17, 1972.

(H) Gelatin-coated papers and films.—Manufactured under section 1313 (a) by McGraw Colorgraph Co., Burbank, Calif., with the use of imported gelatin.

Rate effective on articles manufactured on and after July 1, 1971,

and exported on and after October 21, 1971.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., December 2, 1971.

(I) Generators, nuclear steam.—Manufactured under section 1313(b) by Westinghouse Electric Corp., Pittsburgh, Pa., at its factory located at Tampa, Fla., with the use of steel castings.

Rate effective on articles manufactured on and after September 15,

1971, and exported on and after February 28, 1972.

Manufacturer's statement of November 10, 1971, forwarded to Regional Commissioners of Customs, New York, N.Y., and Miami, Fla., March 20, 1972.

(J) Ice rink resurfacing machines.—Manufactured under section 1313(a) by Frank J. Zamboni & Co., Paramount, Calif., with the use of imported gasoline engines.

Rate effective on articles manufactured on and after September 1,

October 7, 1975, and experted on and after June 29, 1971,

1971, and exported on and after September 22, 1971.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., January 5, 1972.

(K) Industrial fasteners (nuts, bolts, and pins).—Manufactured under section 1313(a) by Standard Pressed Steel Co., Jenkintown, Pa., with the use of imported semi-finished steel fasteners.

Rate effective on articles manufactured and exported on and after

August 15, 1969.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 6, 1971.

(L) Isopropyl ethylthioncarbamate (Z-200).—Manufactured under section 1313(b) by The Dow Chemical Co., Midland, Mich., at its factory located at Pittsburg, Calif., with the use of sodium isopropyl xanthate.

Rate effective on articles manufactured on and after July 1, 1969,

and exported on and after August 8, 1969.

Manufacturer's statements of December 5, 1969, and September 21, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., March 21, 1972.

(M) Jewelry.—Manufactured under section 1313(a) by Maurice Semensohn & Co., Inc., New York, N.Y., with the use of imported precious stones and pearls.

Rate effective on articles manufactured on and after October 22,

1968, and exported on and after October 27, 1970.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 20, 1971.

(N) Lemon juice concentrate.—T.D. 56239-A, as amended by T.D.'s 66-60-L, 67-227-K, 68-163-P, and 69-144-M, covering, among other things, orange concentrate for pasteurized orange juice (a frozen solid), and pasteurized orange juice (a liquid) manufactured under section 1313(b) by Florida Home Juice Co., Melrose Park, Ill., at its factories located at Melrose Park, Ill., and Avon Park, Fla., with the use of frozen orange juice concentrate (in bulk), further amended to cover lemon juice concentrate for lemon juice and lemonade products manufactured under section 1313(b) by the company at the said factories with the use of lemon juice concentrate not usable at retail level.

Amendment effective on articles manufactured and exported on and

after December 2, 1970.

Supplemental statements of June 23, 1971, September 14, 1971, and March 1, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., March 24, 1972.

(O) Lead and lead alloy products.—T.D. 50076-F, as amended by T.D.'s 50220-D, 50364-C, 50878-D, 52692-H, and 52962-C, covering, among other things, lead and lead alloy products manufactured under section 1313 (a) and (b) by National Lead Co., New York, N.Y., at its various factories with the use of, among other things, imported and drawback linseed oil, further amended to provide for a change of the company's name to N. L. Industries, Inc.

Amendment effective on articles exported on and after April 16,

1971.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 3, 1972.

(P) Machines, cloth cutting.—Manufactured under section 1313 (a) by Eastman Machine Co., Buaffo, N.Y., with the use of imported electric motors and cutting knives.

Rate effective on articles manufactured on and after November 1,

1966, and exported on and after October 29, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 15, 1971.

(Q) Magnetic tape.—Manufactured under section 1313(b) by Ampex Corp., Redwood City, Calif., at its Opelika, Ala., factory. Rate effective on tape manufactured on and after April 1, 1971, and exported on and after April 15, 1971.

Manufacturer's statements of September 22, 1971, and January 3, 1972, forwarded to Regional Commissioners of Customs, Boston, Mass.; New York, N.Y.; Miami, Fla.; New Orleans, La.; San Francisco, Calif.; and Chicago, Ill., February 29, 1972.

(R) Products, pepper and tomato.—T.D. 55770-G, as amended by T.D.'s 56549-H, 68-163-J, 69-74-K, 69-132-F, and 69-240-L, covering, among other things, various food products manufactured under section 1313(b) by General Foods Corp., White Plains, N.Y., at its various factories with the use of hard refined or liquid refined sugar, further amended to cover pepper and tomato products manufactured under section 1313(b) by the said company at its factory located at Modesto, Calif., with the use of dehydrated peppers tomatoes.

Amendment effective on articles manufactured and exported on and

after January 1, 1966.

Supplemental statements of February 18, 1971, August 26, 1971, and October 20, 1971, forwarded to Regional Commissioners of Customs, New York, N.Y., and San Francisco, Calif., March 20, 1972.

(S) Railroad track splice bars.—Manufactured under section 1313(a) by Portec, Inc., Oak Brook, Ill., at its factory located at Troy, N.Y., with the use of imported steel billets.

Rate effective on articles manufactured and exported on and after

September 22, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., August 16, 1971.

(T) Rosin adducts, unfortified rosin sizes, fortified rosin sizes.—
T.D. 53998—A, as amended, covering, among other things, alkyds and modified alkyds, ester gums and modified ester gums manufactured under section 1313(b) by Hercules Inc., Wilmington, Del., at its Burlington, N.J., and Hattiesburg, Miss., factories with the use of pentaerythritol, further amended to cover rosin adducts, fortified rosin sizes, and unfortified rosin sizes manufactured under section 1313(b) at the corporation's factories located at Brunswick and Savannah, Ga.; Franklin, Va.; Kalamazoo, Mich.; Milwaukee, Wis.; and Portland, Ore., with the use of FF wood rosin.

Amendment effective on articles manufactured on and after Febru-

ary 1, 1972, and exported on and after February 2, 1972.

The following Treasury Decisions are hereby revoked:

49847-C	51791-A	54525-B
50076-B	52199-I	67-288-T
50194-C	59849-D	

Manufacturer's statement of February 18, 1972, forwarded to Regional Commissioner of Customs, Baltimore, Md., March 28, 1972.

(U) Rosin sizes.—T. D. 53998-A, as amended, and as particularly amended by T. D. 71-74-T, covering, among other things, paste pexol and dry pexol (rosin sizes) manufactured by Hercules, Inc., Wilmington, Del., at its Brunswick and Savannah, Ga.; Franklin, Va.; Portland, Ore.; Milwaukee, Wis.; Kalamazoo, Mich.; and Hattiesburg, Miss., factories under section 1313 (b) with the use of fumaric acid, further amended to cover rosin sizes manufactured under section 1313 (b) by the company at the said factories with the use of fumaric acid.

Rate effective on articles manufactured on and after October 1, 1969,

and exported on and after April 1, 1971.

Supplemental statement of August 13, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., March 28, 1972.

(V) Starches, cationic.—Manufactured under section 1313(a) by Eastern Maine Starch Co., Inc., Island Falls, Maine, at its factory located at Fort Kent, Maine, with the use of imported potato starch.

Rate effective on articles manufactured on and after August 27, 1970, and exported on and after March 29, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass.,

October 28, 1971.

(W) Wool tops.—Manufactured under section 1313(b) by The Top Co., Inc., Boston, Mass., at its South Barre, Mass., factory, with the use of grease wool.

Rate effective on articles manufactured and exported on and after

July 2, 1971.

Manufacturer's statements of August 3, 1971, February 15, 1972, and March 10, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., March 21, 1972.

(X) Woven poly sheets.—Manufactured under section 1313(a) by Servico Protective Covers, Inc., Buffalo, N.Y., at its factory located at Perry, N.Y., with the use of imported polyethylene sheeting.

Rate effective on articles exported on and after July 23, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., December 8, 1971.

(Y) Wrist watches and clocks.—(1) Wrist watches manufactured under section 1313(a) by Bru-Jan Packaging Corp., Glendale, L.I., N.Y., with the use of imported watch movements, watch heads, watch cases, watch bracelets, and watch straps, and (2) clocks manufactured by the said company with the use of imported clock movements and clock cases.

Rate effective on articles manufactured on and after October 1, 1971, and exported on and after October 15, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., December 28, 1971.

(Z) Zinc alloy.—T. D. 49073–K, as amended by T. D.'s 51777–S, and 53498–I, covering, among other things, zinc alloy manufactured under section 1313 (a) and (b) by National Lead Co., New York, N.Y., at its Perth Amboy, N.J., and Dallas, Tex., factories with the use of imported electrolytic zinc and electrolytic zinc, further amended to provide for a change of the company's name to N. L. Industries, Inc.

Amendment effective on articles exported on and after April 16,

1971.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 3, 1972.

# (T.D. 72-122)

Countervailing duties-Compressors and parts thereof from Italy

Notice of countervailing duties to be imposed under section 303, Tariff Act of 1930, by reason of the payment or bestowal of a bounty or grant on exportation of compressors and parts thereof from Italy

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 16-LIQUIDATION OF DUTIES

In the Federal Register of March 2, 1972 (37 F.R. 4367), the Commissioner of Customs announced that information had been received in proper form pursuant to section 16.24(b) of the Customs Regulations (19 CFR 16.24(b)) which appeared to indicate that certain payments made by the Government of Italy on the exportation from Italy of compressors and parts thereof constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303) upon the manufacture, production, or exportation of the merchandise to which the payments apply. The notice provided interested parties 30 days from the date of publication to submit data, views, or arguments with regard to the existence or nonexistence and the net amount of a bounty or grant.

An investigation was conducted pursuant to section 16.24(d) of the Customs Regulations (19 CFR 16.24(d)).

After consideration of all information received, the Bureau is satisfied that exports of compressors and parts thereof from Italy are subject to bounties or grants within the meaning of section 303.

Accordingly, notice is hereby given that compressors and parts thereof imported directly or indirectly from Italy, if entered for consumption or withdrawn from warehouse for consumption after the expiration of 30 days after publication of this notice in the Customs Bulletin, will be subject to the payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed.

In accordance with section 303, the net amount of the bounties or grants under the information presently available has been ascertained and determined or estimated to be as specified in Appendix A. Because information regarding the exact amount of the bounties or grants is incomplete, further declarations of the net amount of the bounties or grants ascertained and determined or estimated to have been paid upon the exportation of compressors and parts thereof from Italy will be

published in subsequent issues of the Customs Bulletin.

Effective on the 31st day after the date of publication of the notice in the Customs Bulletin and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable compressors and parts thereof imported directly or indirectly from Italy which benefit from such bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declarations.

The liquidation of all entries for consumption or withdrawals from warehouse for consumption of such dutiable compressors and parts thereof imported directly or indirectly from Italy which benefit from these bounties or grants and are subject to the order shall be suspended pending further declaration of the net amount of the bounties or grants paid. A deposit of the estimated countervailing duty, in the appropriate amount, shall be required at the time of entry for consumption or withdrawal from warehouse for consumption.

Any merchandise subject to the terms of this order shall be deemed to have benefited from a bounty or grant if such bounty or grant has been or will be paid or credited, directly or indirectly, upon the manufacture, production, or exportation of such compressors and parts

thereof.

The table in section 16.24(f) of the Customs Regulations (19 CFR 16.24(f) is amended by inserting after the last entry for Italy, the words "Compressors and parts thereof" in the column headed "Commodity," the number of this Treasury Decision in the column headed "Treasury Decision," and the words "Bounty Declared—Rate" in the column headed "Action."

(R.S. 251, secs. 303, 624; 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624.) (644)

LEONARD LEHMAN, Acting Commissioner of Customs.

Approved May 1, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register May 3, 1972 (37 F.R. 8948)]

### APPENDIX A

the same with the party medical transfer or the P	er Kilogram
and the form of the state of th	(Lire)
Air compressors (including compressors for refrigerating equipment presented separately); power driven vacuum pumps	
Gas compressors (including compressors for refrigerating equipment presented separately); power driven vacuum	
pumps	
Compressor and vacuum pumps, motor coupled sets	35
Parts of Compressors:	
Blades, vanes and rotors:	
Of stainless steel	80
Other, made predominantly of cast iron, iron, or	
steel	40
Cylinders and cylinder heads	20
Cylinder blocks, crankcases, baseplates and bodies of pumps and compressors:	
Of cast iron or steel	15
Pistons, made predominantly of cast iron, iron, or steel	
Cylinder liners	15
Connecting rods	
Crankshafts and camshafts, pump shafts	30
Piston rings	
Oil pumps, water pumps, and turbines; feed pumps Gasoline lifting pumps, economizers, oil cleaners, oil and fuel filters, and their parts, made predominantly	Harris Mark
of cast iron, iron, or steel	
Injectors, injector holders, injection pumps and parts thereof, the latter limited to those made predomi-	
nantly of cast iron, iron, or steel	
Pressure regulatorsGaskets, also presented in envelopes or like packages,	
other parts, not elsewhere specified, made predominantly of iron or steel	
DAMEN OF TOD OF STORE	3(1)

<sup>\*</sup>The higher amount shall be collected unless appropriate certification is received indicating a lesser amount was in fact paid or bestowed.

# 234 (T.D. 72–123)

Ports of entry-Customs Regulations amended

Changes in the Customs Field Organization, section 1.2(c), Customs Regulations amended

DEPARTMENT OF THE TREASURY, Washington, D.C., April 28, 1972.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

On April 7, 1972, notice of a proposal to designate Vicksburg, Mississippi, as a port of entry in the New Orleans, Louisiana, Customs district, (Region V), was published in the Federal Register (37 F.R. 7003). No comments were received regarding this proposed designation.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. 11), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 7 (34 F.R. 15846), Vicksburg, Mississippi, is hereby designated a port of entry in the New Orleans, Louisiana, district, (Region V), effective as of May 1, 1972.

The geographical limits of the port of Vicksburg shall include all of Warren County, Mississippi, and Madison Parish, Louisiana.

To reflect this change, the table in section 1.2(c) of the Customs Regulations is amended by inserting in the column headed "Ports of Entry" in the New Orleans, Louisiana, district, (Region V), "Vicksburg, Mississippi (including territory described in T.D. 72–123)," directly below Greenville, Mississippi.

(80 Stat. 379, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 1, 2, 66, 1624)

It is desirable to make the Customs port of entry available to the public as soon as possible. Therefore, good cause is found for dispensing with the delayed effective date provisions of 5 U.S.C. 553(d).

(014.1)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

Published in the Federal Register May 6, 1972 (37 F.R. 9210)]

#### (T.D. 72-124)

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial,
Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., May 2, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

April 24,	1972	\$0.142875
April 25,	1972	. 1428
April 26,	1972	. 1428
	1972	
April 28,	1972	. 14295

Hong Kong dollar:	Official	Free	
March 20, 1972	\$0.1810	Not available.	
March 21, 1972	. 1790	99	
March 22, 1972	. 1790	"	
March 23, 1972	. 1790	27	
March 24, 1972	. 1785	"	

#### Iran rial:

For the period April 10 through April 14, 1972, rate of \$0.0131.

#### Philippine peso:

For the period April 10 through April 14, 1972, rate of \$0.1550.

# Thailand baht (tical):

For the period April 10 through April 14, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).
(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs. (T.D. 72-125)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 1, 1972.

The following are synopses of drawback rates and amendments issued July 3, 1968, to March 15, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Bags, burlap.—T. D. 55461-A, as amended by T. D. 55950-C, covering burlap bags manufactured under section 1313 (a) by Birt Bag Co., Houston, Tex., with the use of imported burlap, amended to cover the foregoing articles manufactured by Birt, Inc., successor.

Amendment effective on articles exported on and after September 30, 1968.

Amendment issued by Regional Commissioner of Customs, Houston, Tex., August 3, 1971.

(B) Boilers, heating; boilers, incomplete heating.—T. D. 66-136 (B), covering heating boilers and incomplete heating boilers manufactured under section 1313(a) by General Automatic Products Corp., Baltimore, Md., with the use of imported copper heat exchangers and burner kits, amended to cover the said articles manufactured by Continental Manufacturing Co., successor.

Amendment effective on articles exported on and after April 1, 1967. Amendment issued by Regional Commissioner of Customs, Baltimore, Md., March 2, 1972.

(C) Chemical products.—T.D. 45857-D, as amended and extended, covering among other things, oxypyrimidine and idazinon manufactured under section 1313(b) by Geigy Chemical Corp., Ardsley, N.Y., at its various factories with the use of methyl acetoacetate; further amended to cover a change in name of the company to Ciba-Geigy Corp.

Amendment effective on articles exported on and after October 21, 1970, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 5, 1971.

(D) Chemical products.—T.D. 67-130-E, as amended by T.D.'s 67-260-H, 68-248-Y, 69-218-H, and 69-218-V, covering, among other things, chemicals manufactured under section 1313 (a) and (b) by Ciba Corp., New York, N.Y., at its factories located at Toms River, Fair Lawn, and Summit, N.J., with the use of specified chemicals; and dyes, epoxy resins, tetrabromobisphenol and plastic pipe manufactured under section 1313(b) by the corporation at its Toms River, N.J., El Dorado, Ark., and Burkburnett, Tex., factories with the use of specified chemicals, further amended (1) to cover such articles manufactured at the said factories by Geigy Chemical Corp., Ardsley, N.Y., successor, and (2) to provide for a change in name of the successor to Ciba-Geigy Corp.

Amendment effective on articles exported on and after October 21,

1970, the date of succession and change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 5, 1971.

(E) Chili powder, chili pepper, red pepper, cayenne pepper and paprika.—T.D. 68-185-D, covering, among other things, chili powder manufactured under section 1313(b) by Cal-Compack Foods, Inc., a Div. of Beatrice Foods Co., Santa Ana, Calif., with the use of dehydrated chili peppers, red peppers and paprika, amended to cover such operations at Santa Ana, King City, Calif., and Las Cruces, N. Mex., factories.

Amendment effective on articles manufactured on and after October 1, 1971, and exported on and after January 1, 1972.

Amendment issued by Regional Commissioner of Customs, Los Angeles, Calif., February 17, 1972.

(F) Confectionery.—T.D. 50482-C, as amended by T.D.'s 50866-B, and 55626-C, covering confectionery manufactured under section 1313(b) by Wilbur Chocolate Co., Lititz, Pa., with the use of refined sugar and with the use of turbinado sugar; and covering confectionery manufactured under section 1313(a) by the said company with the use of imported turbinado sugar, further amended to cover the foregoing articles manufactured by Wilbur Chocolate Co., Inc., Lititz, Pa., successor.

Amendment effective on articles exported on and after October 18, 1969, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., May 13, 1972.

(G) Dextran products.—Manufactured under section 1313(b) by Pharmachem Corp., Bethlehem, Pa., with the use of hard refined sugar.

Rate effective on articles manufactured on and after September 10, 1970, and exported on and after September 15, 1970.

Manufacturer's statements of March 26, 1971, December 7, 1971, and February 29, 1972, forwarded to Regional Commissioners of Customs at New York, N.Y., and Baltimore, Md., March 15, 1972.

(H) Dyestuffs, Lumatex Binder MDE Special, Lumatex Binder FD, Lumatex Binder TX 4075 (also known as Lumatex Binder 4075 and Helizarine Binder 4075), Ultra Lumatex colors, Lumatex colors, indigo paste, and Styroper B-50 and Styroper B-55 expandable polystyrene (self extinguishing grades).—T.D. 54255-D, as particularly amended by T.D. 56318-C and T.D. 71-105-F, covering, among other things, dyestuffs manufactured under section 1313(a) by BASF Corp., Parsippany, N.J., at its factories located at Charlotte, N.C., and South Kearny, N.J., with the use of imported coal tar dyes in paste or powder form, further amended (1) to cover Styroper B-50 and Styroper B-55 expandable polystyrene (self extinguishing grades), manufactured by the said corporation at its Jamesburg, N.J., factory with the use of imported hexabromide and special resin SY, and (2) to cover the foregoing operations by BASF Wynodotte Corp., Parsippany, N.J., successor, at the said factories.

Amendment effective on articles covered by (1) above manufactured on and after January 1, 1969, and exported on and after May 23, 1969, and on (2) above exported on and after January 1, 1971, the date of

succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 22, 1972.

(I) Electronic test instruments and systems.—Manufactured under section 1313(a) by E-H Research Laboratories, Inc., Qakland, Calif., with the use of imported core handlers, oscilloscopes, related parts and accessories.

Rate effective on articles manufactured and exported on and after September 21, 1970.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., March 9, 1972.

(J) Extracts, flavoring; toilet preparations; refined olive oil; oil of cloves; oleo resin ginger; oil of ginger; oil of nutmeg; and oil of coriander.—T.D. 43924—L as amended by T.D.'s 44251—G, 68-248—F, and 68-248—G, covering flavoring extracts and toilet preparations manufactured under section 1313(d) by George Lueders & Co., Inc., New York, N.Y., at its Brooklyn, N.Y., and Patchogue, L.I., N.Y., factories with the use of domestic tax-paid alcohol; and covering re-

fined olive oil produced by it under section 1313(a) with the use of imported crude olive oil, oil of cloves manufactured with the use of imported cloves, oleo resin ginger and oil of ginger manufactured with the use of imported unground ginger root, oil of nutmeg manufactured with the use of imported nutmeg, and oil of coriander manufactured with the use of imported coriander seed, further amended to cover a change in name of the company to Monsanto Flavor/Essence Inc.

Amendment effective on articles manufactured and exported on and after August 9, 1971, the date of the change in name,

Amendment issued by Regional Commissioner of Customs, New York, N.Y., November 10, 1971.

(K) Machines, Heald Bore-Matic.—T.D. 51733—C, covering the foregoing articles manufactured under section 1313(a) by Heald Machine Co., Worcester, Mass., with the use of imported electric motors, amended (1) to cover such articles manufactured by Cincinnati Milling Machine Co., successor; (2) to cover power units and machining centers manufactured by the successor with the use of imported electric motors and gaging equipment; and (3) to cover all such articles manufactured by Cincinnati Milacron-Heald Corp., ultimate successor.

Amendment effective on articles covered by (1), above, which are exported on and after August 26, 1955; on articles covered by (2), above, which are manufactured on and after October 1, 1967, and exported on and after May 1, 1968; and on articles covered by (3), above, which are exported on and after May 1, 1970.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., July 14, 1971.

(L) Leather, pigment colored and surface textured.—Manufactured under section 1313(a) by Apex Leather Corp., Johnstown, N.Y., with the use of imported hides.

Rate effective on articles manufactured on and after November 1, 1970, and exported on and after January 11, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 10, 1972.

(M) Machining centers, numerically controlled.—T.D. 51718-D, as amended by T.D. 55325-D, covering, among other things, automatic high speed screw machines manufactured under section 1313(a) by Brown & Sharpe Manufacturing Co., North Kingstown, R.I., with the use of imported electric motors, amended to cover numerically controlled machining centers manufactured with the use of imported numerical control systems.

Amendment effective on articles manufactured and exported on and after July 29, 1971.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., July 21, 1970.

(N) Orocozine Brilliant Red 4GB, Orcochrome Brilliant Violet R (Mordant Violet I).—T.D. 55580-Z, covering Nerosol Black RF manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported dyes of coal tar derivatives, amended to cover (1) Orocozine Brilliant Red 4GB manufactured with the use of imported Sumiacryl Brilliant Red 4GB, and (2) Orcochrome Brilliant Violet R (Mordant Violet I) manufactured with the use of imported Sunchromine Brilliant Violet R. Conc.

Amendment effective on articles manufactured and exported on and

after September 3, 1970.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., May 18, 1971.

(O) Rubber, butyl; ethylene; propylene; polyethylene; and butadiene.—T.D. 71-44-P, covering butyl rubber, ethylene, propylene, polyethylene, and butadiene manufactured under section 1313(b) by Columbian Carbon Co., New York, N.Y., at its factories located at Lake Charles, Eola, North Bend, and Hancock, La.; El Dorado, Ark.; Hickok, Kan.; and Seminole and Youens, Tex., with the use of butane-butylene, ethane, propane, propane-propylene, hydrogen, isobutylene, isoprene and methane streams, amended to cover such products manufactured by Cities Service Co., New York, N.Y., successor, at the above factories.

Amendment effective on articles exported on and after January 1, 1970, the date of succession.

Successor's statement of February 7, 1972, forwarded to Regional Commissioner of Customs, Houston, Tex., March 13, 1972.

(P) Sheets, hot and cold rolled flat steel.—Manufactured under section 1313(a) by Granberg Supply Co., Inc., Oakland, Calif., at its factory with the use of imported hot and cold rolled steel sheets in coil form.

Rate effective on articles manufactured on and after January 1, 1966, and exported on and after July 18, 1966.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., July 3, 1968.

(Q) Ships gear.—T.D. 55230-I, as amended by T.D.'s 55833-D, 56303-Q, and 67-137-M, covering, among other things, ships gear, such as topping lifts, cargo runners, slings, mooring hawsers, and rigging,

manufactured under section 1313(a) by Atlantic Cordage and Supply Corp., Brooklyn, N.Y., with the use of imported steel wire rope, further amended (1) to cover a change in location of the corporation's office and factory from 243 40th St., Brooklyn, N.Y., to 60 Grant Avenue, Carteret, N.J., and (2) to cover such articles manufactured at the new location by Atlantic Cordage and Supply Corp., a N.J. Corp., Carteret, N.J., successor.

Amendment effective on articles covered by (1), above, manufactured and exported on and after March 1, 1971, and on the articles covered by (2), above, exported on and after April 1, 1971, the date

of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., October 15, 1971.

(R) Ships gear (topping lifts, cargo runners, slings, mooring hausers, and rigging).—Manufactured under section 1313(a) by National Ropes, Inc., New York, N.Y., at its factories located at Brooklyn, N.Y., New Orleans, La., Houston, Tex., Wilmington, Calif., and San Francisco, Calif., with the use of imported steel wire rope.

Rate effective on articles manufactured and exported on and after

February 23, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., June 14, 1971.

(S) Sugar products.—T.D. 52673—H, as amended, covering, among other things, powdered sugar with starch or tricalcium phosphate, sugar and cinnamon, mixed or blended syrups, and filtered syrup, produced under section 1313 (a) and (b) by American Sugar Co., at its several factories with the use of imported or drawback sugar and sugar products and with the use of sugar and sugar products, further amended to cover a change in name of the company to Amstar Corp.

Amendment effective on articles exported on and after October 28,

1970, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., May 12, 1971.

(T) Supona Insecticide also known as Compound 4072 (2-chloro-1-(2,4-Dichlorophenyl)-diethyl-vinyl phosphate).—Manufactured under section 1313(a) by Shell Chemical Co., a Div. of Shell Oil Co., Houston, Tex., at its factories located at Martinez, Calif., and at Commerce City, Colo. (Rocky Mountain Arsenal), with the use of imported or drawback dichloroacetylchloride (DCAC), Meta-Dichlorobenzene (MDCB), and Tetrachloroacetophenone (TCAP).

Rate effective on articles manufactured on and after April 1, 1966, and exported on and after January 4, 1967.

Rate issued by Regional Commissioner of Customs, New York, N.Y.,

February 28, 1972.

(U) Tarpaulins; rope, wire and manila, in various lengths with one or two thimbles, loops, sockets, or other fittings spliced on each length.—T.D.'s 54005–G and 55144–F, as amended by T.D. 56436–O, covering tarpaulins manufactured under section 1313(a) by Nilsen & Mills, Inc., a New York Corporation, Brooklyn, N.Y., with the use of imported waterproofed canvas; and covering various lengths of wire and manila rope, with one or two thimbles, loops, sockets or other fittings spliced on each length, manufactured under the same provisions of the law by the said corporation with the use of imported wire rope or manila rope; further amended (1) to cover a change in location of the corporation's office and factory from 250 39th St., Brooklyn, N.Y., to 60 Grant Ave., Carteret, N.J., and (2) to cover the foregoing articles manufactured at the new location by Nilsen & Mills, Inc., a N.J. Corp., Carteret, N.J., successor.

Amendment effective on articles covered by (1), above, manufactured and exported on and after March 1, 1971, and on the articles covered by (2), above, exported on and after April 1, 1971, the date of

succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., October 21, 1971.

(V) Tobacco products.—T.D. 46268-C, as amended by T.D.'s 53073-J, 53196-E, 53739-C, 54204-B, 55972-C, and 69-240-Y, covering tobacco products manufactured under section 1313 (a) and (b), by Lorillard Corp., New York, N.Y., at its Jersey City, N.J.; Louisville, Ky.; and Greensboro, N.C., factories with the use of imported tobacco and with the use of cigarette paper, further amended to cover such products manufactured at the said factories, by Loew's Theatres, Inc., New York, N.Y., successor.

Amendment effective on articles exported on and after July 11, 1969,

the date of successorship.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 24, 1972.

(W) Tungsten products and germanium derivatives.—T.D. 52303—J, as amended, covering, among other things, sodium tungstate, tungstic acid, and tungstic oxide manufactured under section 1313(b) by Sylvania Electric Products Inc., New York, N.Y., at its Towanda Pa., factory with the use of tungsten ore or concentrates, tungstic

compounds, tungsten metal powder, slugs, or billets, tungsten swaged or ground rod, and tungsten contact, electrode, or support rod, further amended to cover a change in name of the company to GTE Sylvania Inc.

Amendment effective on articles exported on and after January 1, 1971, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., September 9, 1971.

(X) Wool and hair products.—T.D. 51357-F, as amended by T.D.'s 52306-G and 55788-K, covering, among other things, wool and hair products manufactured under section 1313 (a) and (b), by Hart Top Manufacturing Co., Inc., Boston, Mass., at its Holyoke, Mass., factory with the use of imported or drawback washed or scoured wool and with the use of grease wool, respectively, further amended to cover such products manufactured by Hart Wool Combing, Inc., successor.

Amendment effective on articles exported on and after March 1, 1971.

Amendment issued by Regional Commissioner of Customs, Boston,
Mass., October 8, 1971.

(Y) Wrist watches and clocks.—(1) Wrist watches manufactured under section 1313(a) by Assembly Specialists Co., Inc., New York, N.Y., with the use of imported watch movements, watch heads, watch cases, watch bracelets, and watch straps, and, (2) clocks manufactured by the said company with the use of imported clock movements and clock cases.

Rate effective on articles manufactured on and after October 1, 1971, and exported on and after October 15, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., February 24, 1972.

(Z) Zinc products.—T.D. 45957–R, as amended by T.D.'s 50742–E, 50952–F, 53490–E, 54575–D, 55423–E, and 71–105–Q, covering, among other things, zinc slabs in the rough (for use in the manufacture of engravers' plates) manufactured under section 1313 (b) by Ball Metal and Chemical, Div. of Ball Corp., Muncie, Ind., with the use of zinc slabs, further amended (1) to cover a new factory located at Greeneville, Tenn., and (2) to provide for the discontinuance of the company's factory located at Brooklyn, N.Y.

Amendment effective on articles covered by (1) above manufactured on and after January 17, 1971, and exported on and after March 10, 1971. Amendment (2) above effective April 3, 1971, the date of discontinuance of the Brooklyn, N.Y., factory.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., November 11, 1971.

### (T.D. 72–126)

### Rules of the United States Customs Court

Amendments of the Rules of the United States Customs Court effective
July 1, 1972

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 4, 1972.

There is published for information and guidance amendments of the Rules of the United States Customs Court effective July 1, 1972.

The Court Rules were heretofore published in T.D. 70–180 of August 20, 1970, and an amendment was published in T.D. 70–260.

(344.15)

LEONARD LEHMAN,
Acting Commissioner of Customs.

# RULES OF THE UNITED STATES CUSTOMS COURT

The following rules have been revised and will be effective July 1, 1972. The revised language has been set off in brackets and the new language is indicated by underlineation.

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## Rule 3.4(a)

(a) Form and Content: General: A summons in a civil action commenced to contest the denial of a protest under section 515 of the Tariff Act of 1930, as amended (19 U.S.C. § 1515, as amended) shall be substantially in the form as shown in Appendix A and shall set forth:

(1) the name of the plaintiff:

(2) with respect to each denied protest included in the civil action, the protest number, the date the protest was filed, and the date the protest was denied by mailing of a notice of denial or by operation of law:

(3) with respect to each entry of merchandise involved in a denied protest included in the civil action, the port of entry, the entry num-

ber, and the date of entry;

(4) with respect to each category of merchandise covered by an entry involved in a denied protest included in the civil action, the name of each such category of merchandise with respect to which the denial of the protest is contested in the civil action;

(5) a statement that each denied protest included in the civil action was filed and denied as prescribed by law, and that all liquidated duties, charges or exactions were paid at the port of entry unless otherwise shown, which statement shall be signed by the attorney filing the summons, or by an individual filing the summons in his own behalf;

(6) the name, post office address, and telephone number of the attorney filing the summons or of an individual filing the summons in

his own behalf;

(7) with respect to each denied protest included in the civil action, the address of the district director for the customs district in which the protest was denied; and

(8) where more than one protest is included in a single civil action pursuant to Rule 3.3(b), a concise statement clearly setting forth the category of merchandise and the common issue involved.

# Rule 3.6(b)

(b) [Enlargement] Extension:

(1) Except as provided in Rules 14.6(e) and 14.8(e), when, by these rules or by a notice given thereunder or by order of the court, an act is required or allowed to be done at or within a specified time, the court may upon motion [under Rule 4.12], for good cause shown, order the period [enlarged] extended.

(2) Every motion for [enlargement] extension of time must set forth therein the specific number of additional days requested, the date to which the [enlargement] extension is to run, the extent to which the time for the performance of the particular act has been previously [enlarged] extended, and the reason or reasons upon which the motion for [enlargement] extension is based, and [must] shall be filed [within] no later than 5 days prior to the expiration of the period allowed for the performance of the act to which the motion relates (including any previous [enlargement] extension of time). An objection or response thereto shall be filed within 5 days after service of such motion. [Provided, That] The foregoing requirement as to filing may be waived by the court upon a showing, in a separate motion for leave to file out of time, that the delay in filing was the result of excusable neglect or circumstances beyond the control of the party.

(3) No disposition shall be made until the court acts upon the

motion for extension of time.

(4) If the motion for an extension of time is denied and less than 5 days remain of the time to perform the act, or the time to perform the act has expired, the act may be performed within 5 days after the court enters the order denying the extension of time.

## Rule 3.6(c)

(c) Additional Time After Service by Mail: Whenever a party has the right or obligation to do some act or take some proceeding within a prescribed period after the service of a pleading, motion, or other paper upon him, and the service is made by mail, [7] 5 days shall be added to the prescribed period.

# Rule 4.4(a)

(a) Filing of Complaint and Answer: A plaintiff who desires to try or otherwise prosecute an action shall serve upon the opposite party and file with the court a complaint to which an answer shall be filed. There shall be a reply to an alternative claim or [a counterclaim] an affirmative defense contained in an answer. No other pleading shall be allowed, except that the court may order a reply to an answer.

# Rule 4.6(d)

(d) Alternative Claims or Affirmative Defenses: If the defendant desires to make an alternative claim or set forth an affirmative defense in its answer, such alternative claim or affirmative defense shall be designated as such and set forth in separately numbered paragraphs.

# Rule 4.7(b)

(b) Defenses: How Presented: The following [jurisdictional] defenses may be made by a motion to dismiss: (1) that plaintiff has no

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standing in the matter; (2) lack of jurisdiction of the subject matter; [and] (3) failure to perform conditions precedent; and (4) failure to state a claim upon which relief may be granted. A motion making any of these defenses may be made before answer.

# Rule 4.7(c)

(c) Preliminary Hearings: Any party may move before trial for a separate hearing and determination of the defenses enumerated (1), (2), [and] (3), and (4) in paragraph (b) of this rule.

## Rule 4.12(c)

(c) Time To Respond:

(1) Except as provided in Rules 3.6(b), 14.6(e) and 14.8(e), an objection or response to a contested motion shall be filed within 15 days after service of such motion, except that an objection or response to a dispositive motion, i.e., a motion to dismiss, a motion for judgment on the pleadings, and a motion for summary judgment, shall be filed within 30 days after service of such motion, and [except as otherwise provided in subparagraph (2) of this paragraph (c)] the moving party shall have 15 days from the date of service of the objections or response to file a reply.

[(2) When a motion to enlarge the time provided for in subparagraph (1) of this paragraph (c) is filed, and the court denies such a motion for enlargement of time, and less than 3 days of the unextended response time remains, the party thus denied the requested enlargement of time shall, unless the court otherwise specifically orders for good cause shown, be deemed to have complied with subparagraph (1) of this paragraph (c) by filing the response or reply within 5 days after the court enters the order denying the enlargement of time.]

# Rule 6.1(b)

(b) Scope of Discovery: Unless otherwise ordered by the court in accordance with these rules, the scope of discovery is as follows:

(1) Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things, and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inad-

missible at the trial if the information sought appears reasonably cal-

culated to lead to the discovery of admissible evidence.

(2) Subject to the provisions of subparagraph (3) of this paragraph (b), a party may obtain discovery of documents and tangible things prepared in anticipation of litigation or for trial by or for another party, by or for that other party's representative (including his attorney, consultant, surety, indemnitor, insurer, or agent) only upon a showing of good cause therefor, except that a statement concerning the action or its subject matter previously given by the party or any agent of his seeking the statement may be obtained without such a showing. A statement of a party is (i) a written statement signed or otherwise adopted or approved by the party or his agent, or (ii) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by the party or his agent and contemporaneously recorded.

(3) By means of written interrogatories, [in conformity with Rule 7.4] pursuant to Rule 6.3, a party may require any other party to identify each person whom the other party expects to call as an expert witness at the trial, and to state the subject matter on which the expert

is expected to testify.

In relation to the expert testimony to be adduced at the trial, the court, on its own motion or the motion of a party, may require the submission or exchange of statements of the proposed direct testimony of expert witnesses, in narrative or question and answer form, or summaries of experts' reports. Every such summary shall contain the substance of the report in terms of conclusions and the principal facts deemed to support the expert's conclusions.

# Rule 9.1(c)

(c) Time for Service: [When it is requested that the trial be held in New York City, the] A notice of trial shall be served at least 30 days prior to the requested date [for] of trial. [When it is requested that the trial be held at a place other than New York City, the notice of trial shall be served at least 60 days before the requested date of the trial.]

#### Rule 9.1(e)

(e) Designation by Court: The court [with due regard for the request of the parties] shall designate the place or places and date or dates for trial. The court shall give to the parties at least [30] 15 days notice of the place and date for trial.

#### RULE 10.3 CONSOLIDATION; JOINT TRIALS; SEVERANCE

The court may, upon the motion of a party or on its own motion, make such orders concerning proceedings in any action as may tend to avoid unnecessary expense or delay, including, but not limited to:

(a) Consolidation: When actions involving a common question of law or fact are pending before the court, and the parties are the same, the court may order consolidation of the actions or any claims therein.

(b) Joint Trials: When actions involving a common question of law or fact are pending before the court, and the parties are not the same, the court may order a joint trial of the actions or any claims therein.

(c) Severance: The court may order a severance and separate proceeding or trial of any claim or issue.

#### Rule 14.3(a)

(a) Custody and Control: All papers filed with or transmitted to the court shall be retained in the office of the clerk of the court, under his custody and control, except:

(1) when such papers are required by the court; or

(2) when requested by the Chief, Customs Section, Department of Justice, relevant papers may be transmitted by the clerk to an appropriate customs officer for the purpose of considering a submission upon an agreed statement of facts pursuant to Rule 8.1, or for the purpose of answering an inquiry by an appropriate customs officer; or

(3) when the chief judge so directs, the clerk shall transmit relevant papers in [an appeal for reappraisement or in a protest as] any action defined in Rule 3.1 to an appropriate customs officer on request of the attorney of record for a party, or an individual not represented by an attorney, for good cause shown in such request. Notice of such request shall be given to all other parties.

# Rule 14.6(c)

(c) Dismissal for Lack of Prosecution: An action which is not removed from the reserve file within a period of 2 years shall be dismissed for lack of prosecution, and in the absence of the filing of a motion under sub-part (e) of this rule, the clerk shall enter an order of dismissal without further direction of the court. The applicable 2-year period shall begin to run from the last day of the month in which the action is commenced, and shall end on the last day of the 24th month thereafter.

## Rule 14.6(e) ward follows:

(e) Motion for Extension of Time: For good cause shown, the court may, upon motion, order an extension of the time, beyond the applicable 2-year period, within which an action may remain in the reserve file. Any motion for extension of time shall be filed with the clerk not later than 15 days before the expiration of the period of time. An objection or response thereto shall be filed within 10 days after service of such motion. No order of dismissal shall be entered under Rule 14.6(c) until the court has acted on the motion. If the motion for extension of time is denied and less than 10 days remain, or the time has expired, for removing said actions from the reserve file pursuant to sub-section (b) of this rule, then the action shall continue to remain in the reserve file for 10 days after the court enters the order denying the extension of time.

#### Rule 14.7(a)

(a) Suspension of Actions: An action may be suspended pending the final determination of another action (hereinafter referred to as a test case) if it involves an issue of fact or a question of law which is the same as [an] the issue of fact or question of law involved in such [other pending action] test case. A party to any action who desires to have any action considered as a test case may, after issue has been joined in the test case, serve and file a motion stating the reasons therefor. For purposes of this rule, an action [is] may be considered [pending] as a test case when [trial is commenced, or when the action has been submitted to the court for decision] an order to that effect is issued by the court after a motion has been served and filed pursuant to this rule or after trial has been commenced or the action submitted to the court for decision. The trial of an action commences when, in open court, the first witness is sworn or evidence is admitted.

## Rule 14.8(c)

(c) Dismissal for Lack of Prosecution: An action which is not removed from the suspension disposition file within a fixed period of time shall be dismissed for lack of prosecution, and in the absence of the filing of a motion under sub-part (e) of this rule the clerk shall enter an order of dismissal without further direction of the court. The period of time, not to exceed 18 months, within which an action may remain in the suspension disposition file shall be fixed by the judge to whom the action has been assigned, or by the judge

who decided the action under which the actions transferred to the suspension disposition file were suspended.

#### Rule 14.8(e)

(e) Motion for Extension of Time: For good cause shown, the court may, upon motion, order an extension of [the] time beyond the applicable fixed period of time within which an action may remain in the suspension disposition file. A motion for extension of time shall be filed with the clerk not later than 15 days before the expiration of the period of time. An objection or response thereto shall be filed within 10 days after service of such motion. No order of dismissal shall be entered under Rule 14.8(c) until the court has acted on the motion. If the motion for extension of time is denied and less than 10 days remain, or the time has expired, for removing said actions from the suspension disposition file pursuant to sub-section (b) of this rule, then the action shall continue to remain in the suspension disposition file for 10 days after the court enters the order denying the extension of time.

#### RULE 17.1(a)

(a) Conformity Required: All papers to be filed with the clerk shall be produced, duplicated, and filed in conformity with these rules as to means of production, methods of duplication, form and size, and number of copies. The clerk shall refuse to file any paper which is not in substantial conformity with the rules of this court. A party aggrieved by such action may move to compel the clerk to accept the paper for filing.

#### Rule 17.1(g)

(g) Pleadings and Other Papers: [All pleadings, dispositive motions, responses, and replies shall be filed in 2 copies.] [Except as] Unless otherwise provided by these rules, [other] all papers [may] shall be filed in [1 copy] duplicate, only the original of which need be executed. Pleadings and other papers shall be 8½ by 11 inches in size[\*]. Pages shall be numbered on the bottom portion thereof and bound or attached on the top margin. Typed matter shall be double spaced except quoted material which may be indented and single spaced and except titles, schedules, tables, graphs, columns of figures, or other interspersed material, which is more readable in a form other than double spaced.

<sup>[\*</sup>Until October 1, 1971, 81/2 by 14-inch papers will be acceptable.]

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# Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Portugal

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 4, 1972.

There is published below the directive of April 18, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of certain cotton textile products manufactured or produced in Portugal. This directive amends the directive of December 21, 1971, from the Chairman, President's Cabinet Textile Advisory Committee (T.D. 72-27).

This directive was published in the Federal Register on April 21, 1972 (37 F.R. 7943), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20280

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 18, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends the directive issued to you on December 21, 1971, by the Chairman of the President's Cabinet Textile Advisory Committeee, concerning imports of cotton textiles and cotton textile products in certain categories produced or manufactured in Portugal

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 17, 1970, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective upon

publication of this letter in the Federal Register, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 41/42/43, 44, 53, 56, and 62, produced or manufactured in Portugal and which have been exported to the United States during the period beginning January 1, 1972 and extending through December 31, 1972.

Cotton textile products in Categories 41/42/43, 44, 53, 56, and 62, produced or manufactured in Portugal, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the Categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971

(36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textiles and cotton textile products from Portugal have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,

Chairman, Committee for the

Implementation of Textile Agreements,

and Deputy Assistant Secretary

for Resources

(T.D. 72–128)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in El Salvador

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 4, 1972.

There is published below the directive of April 21, 1972, received by the Commissioner of Customs from the Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in El Salvador. This directive cancels and supersedes the directive of December 14, 1971, from the President's Cabinet Textile Advisory Committee (T.D. 72–37).

This directive was published in the Federal Register on April 25, 1972 (37 F.R. 8134), by the Committee for the Implementation of

Textile Agreements.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 21, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive cancels and supersedes the directive issued to you on December 14, 1971 by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textiles in Category

9 produced or manufactured in El Salvador.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of April 19, 1972, between the Governments of the United States and El Salvador, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning April 1, 1972, and extending through March 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1/2/3/4, 9, 31, and 61, produced or manufactured in El Salvador, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint
1/2/3/4	260, 870 pounds
9	3,000,000 square yards
31	1, 436, 781 number
61	84, 210 dozen

Cotton textiles and cotton textile products in the above categories produced or manufactured in El Salvador and which have been exported prior to April 1, 1972, shall not be subject to this directive.

Cotton textiles and cotton textile products in the above categories which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of April 19, 1972, between the Governments of the United States and El Salvador which provide, in part, that within the aggregate limit, the limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of El Salvador and with respect to imports of cotton textiles and cotton textile products from El Salvador have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the
Implementation of Textile Agreements, and
Deputy Assistant Secretary
for Resources

<sup>&</sup>lt;sup>1</sup> These levels have not been adjusted to reflect any entries made on or after April 1, 1972.

# (T.D. 72-129)

# Special classes of merchandise—Fish

Section 12.26(a), Customs Regulations, amended to eliminate certain restrictions on the importation of salmon

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

# PART 12—SPECIAL CLASSES OF MERCHANDISE

The Bureau of Sport Fisheries and Wildlife, Department of the Interior, has amended the provisions of 50 CFR 13.7(c), pursuant to authority in section 42, 62 Stat. 697, as amended, 18 U.S.C. 42, to eliminate the need for filing a written Declaration for Importation of Fish or Wildlife (Form 3-177) for salmon landed in North America and brought into the United States for processing or sale, and also for any salmonid caught in the wild in North America under a sport or commercial fishing license. This amendment was published in the Federal Register on August 10, 1971 (36 F.R. 14697), and became effective on that date.

To conform the Customs Regulations to the regulations of the Bureau of Sport Fisheries and Wildlife, subparagraph (2) of paragraph (a) of section 12.26 is revised to state the general requirement for certification by a qualified fish pathologist prescribed by 50 CFR 13.7, and to add the exceptions to filing the certification by a qualified fish pathologist on importations of salmon provided by 50 CFR 13.7(c). Subparagraph (3) of paragraph (a) of section 12.26 is amended to include all exceptions to filing a Declaration for Importation of Fish or Wildlife with the district director of Customs appearing in 50 CFR Part 13 or Part 17, instead of only the exception provided by 50 CFR 17.4(d), cited in the current Customs Regulations. Also, the language requiring a showing of species on the Endangered Species List or whether or not the species is subject to the laws of a foreign country has been clarified.

Accordingly, in section 12.26, subparagraphs (2) and (3) of paragraph (a) are amended to read as follows:

12.26 Importations of wild animals, fish, amphibians, reptiles, mellusks, and crustaceans; prohibited and endangered species; designated ports of entry; permits required.—

(a) (1) \* \* \*

(2) Fish and eggs of salmonids of the fish family Salmonidae are prohibited entry into the United States for any purpose unless such importations are by direct shipment, accompanied by the signed certification of a qualified fish pathologist in substantially the form as prescribed in 50 CFR 13.7. The following are excepted from the certification requirements:

(i) Salmon landed in North America and brought into the

United States for processing or sale;

(ii) Any salmonid caught in the wild in North America un-

der a sport or a commercial fishing license; and

(iii) Fish or eggs of the family Salmonidae when processed or prepared in accordance with 50 CFR 13.7(c), or otherwise exempted

from the requirement of certification.

(3) Regulations (50 CFR Part 17) require the importer or his agent to file a Declaration for the Importation of Fish or Wildlife, unless it is an import transaction exempted from the requirement by 50 CFR Part 13 or Part 17. Such declaration on Bureau of Sport Fisheries and Wildlife Form 3-177, available to importers through Customs ports of entry, shall be filed with the appropriate Customs officer at the port of entry conducting the actual Customs clearance and release of the declared fish, wild mammal or bird, amphibian, reptile, mollusk, crustacean, or dead body or egg thereof. The declaration on Form 3-177 shall show the common and scientific names, number, and country of origin of all species or subspecies declared, designate and identify any species listed on the United States List of Endangered Foreign Fish and Wildlife, 50 CFR Part 17, Appendix A, and indicate whether any species is subject to laws and regulations in any foreign country regarding its taking, transportation, or sale. See paragraph (g) of this section for special documentation requirements.

(62 Stat. 687, as amended, R.S. 251, as amended, sec. 624, 46 Stat. 759; 18 U.S.C. 42, 19 U.S.C. 66, 1624)

Since this amendment conforms the regulations of the Bureau of Customs to those of the Bureau of Sport Fisheries and Wildlife and benefits the public by relieving an existing restriction, notice and public procedure thereon are unnecessary under 5 U.S.C. 553(b). Because this amendment relieves existing restrictions, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d).

Effective date: This amendment is effective upon the date of publi-

cation in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved May 2, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

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[Published in the Federal Register May 12, 1972 (37 F.R. 9560)]

(T.D. 72-130)

General provisions-Ports of entry

Boundaries of the port of Peoria, Illinois, extended, section  $1.2(\sigma)$ , Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., May 2, 1972.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

In order to provide better Customs service to carriers and the importing community in the State of Illinois, it is considered desirable to extend the existing port limits of Peoria, Illinois.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President in Executive Order No. 10289, September 17, 1951 (3 CFR Ch. 11), and pursuant to authorization provided by Treasury Department Order No. 190, Rev. 7 (34 F.R. 15846), the geographical limits of the Customs port of Peoria, Illinois, in the Chicago, Illinois, Customs district (Region IX), which encompass the city of Peoria, Illinois, are extended to include the area comprising Peoria County, Tazewell County, and the townships of Worth, Spring Bay, and Partridge in Woodford County, Illinois.

Section 1.2(c) of the Customs Regulations, is amended by adding "(including the territory described in T.D. 72–130)" after "Peoria, Illinois" in the column headed "Ports of Entry" for the Chicago, Illinois, district (Region IX).

(80 Stat. 379, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 1, 3, 66, 1624)

The purpose of this extension of existing port of entry limits is to provide better service to importers, carriers, and the public. Notice and public procedure under 5 U.S.C. 553(b) is found, therefore, to be unnecessary.

Effective date. This Treasury Decision shall become effective 30 days after publication in the Federal Register.

(014.1)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register May 12, 1972 (37 F.R. 9559)]

#### (T. D. 72-131)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 9, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Date of bond	Date of approval	Filed with district director of customs; amount
Mar. 19, 1970	July 16, 1971	Los Angeles, Calif.; \$100,000
July 1,1968	Aug. 8,1968	San Francisco, Calif.; \$25,000
Nov. 29, 1971	Apr. 18,1972	Mobile, Ala.; \$25,000
May 4, 1970	May 4, 1970	Great Falls, Mont.; \$25,000
Mar. 28, 1972	Apr. 19,1972	Los Angeles, Calif.; \$50,000
Feb. 25, 1972	Mar. 2,1972	Houston, Tex.; \$25,000
Mar. 19,1963	Mar. 26, 1963	Chicago, Ill.; \$25,000
Jan. 20, 1972	Apr. 14,1972	Boston, Mass.; \$25,000
Sept. 16, 1971	Sept. 28, 1971	Portland, Ore.; \$25,000
	Mar. 19, 1970  July 1, 1968  Nov. 29, 1971  May 4, 1970  Mar. 28, 1972  Feb. 25, 1972  Mar. 19, 1963  Jan. 20, 1972	bond approval  Mar. 19,1970 July 16,1971  July 1,1988 Aug. 8,1988  Nov. 29,1971 Apr. 18,1972  May 4,1970 May 4,1970  Mar. 28,1972 Apr. 19,1972  Feb. 25,1972 Mar. 2,1972  Mar. 19,1963 Mar. 26,1963  Jan. 20,1972 Apr. 14,1972

See footnotes at end of table,

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
P. Liedtka Trucking, Inc., 110 Paterson Ave., Trenton, N.J., motor carrier; St. Paul Fire & Marine Ins. Co.	Mar. 7,1972	Mar, 29, 1972	Philadelphia, Pa.; \$50,000
Matson Navigation Co., 100 Mission St., San Francisco, Calif., water carrier; The Travelers Indemnity Co.  (PB 3/1/88) D 3/1/72 2	Mar. 1,1972	Mar. 3,1972	San Francisco, Calif.; \$50,000
Miles Motor Transport System, 949 Ferry St., Oak- land, Calif., motor carrier; Mid-Century Ins. Co. (PB 5/28/70) D 2/17/72 3	Jan. 21, 1972	Mar. 29, 1972	San Francisco, Calif.; \$25,000
North Star Transport, Inc., P.O.B. 51, Thief River Falls, Minn., motor carrier; Federated Mutual Ins. Co.	Mar. 24, 1972	Mar. 24, 1972	Minneapolis, Minn.; \$25,000
Norton Motor Lines, Ltd., 507 Highway No. 8, Stoney Creek, Ontario, Canada, motor carrier; Insurance Co. of North America D 3780/72	June 8, 1971	Oct. 20,1971	Detroit, Mich.; \$25,000
Old Colony Transportation Co., Inc., 676 Dartmouth St., S. Dartmouth, Mass., motor carrier; Peerless Ins. Co.	Feb. 12,1972	Feb. 12,1972	Boston, Mass.; \$50,000
(PB 2/12/71) D 2/12/72 4	microria in	11/14/02/03	a mar allowers
Pyramid Van Lines, Inc., 479 South Airport Blvd., S. San Francisco, Calif., motor carrier; General Ins. Co. of America	Mar. 29, 1972	Apr. 10, 1972	Baltimore, Md.; \$25,000
Qantas Airways, Ltd., Sydney, Australia, air carrier; Peerless Ins. Co. (PB 4/22/68) D 10/18/71	Oct. 18,1971	Mar. 20, 1972	San Francisco, Calif.; \$100,000
Roots Express, Inc., 11 Karada Dr., Binghamton, N.Y., motor carrier; The Travelers Indemnity Co.	Apr. 29, 1971	Apr. 12, 1972	Buffalo, N.Y.; \$25,000
Rountree Transport, Inc., 3580 S.W. 46th Ave., Ft. Lauderdale, Fla., motor carrier; Fidelity & Deposit Co. of Md.	Mar. 9, 1972	Apr. 3, 1972	Tampa, Fla.; \$25,000
Shippers Express Co., P.O.B. 5790, San Jose, Calif., motor carrier; Peerless Ins. Co. D 9/30/71	Mar. 6,1968	Mar. 6, 1968	San Francisco, Calif.; \$25,000
Skagit Valley Trucking Co., Inc., P.O.B. 400, Mt. Vernon, Wash., motor carrier; Peerless Ins. Co. (PB 4/26/71) D 4/14/72 3	Apr. 5,1972	Apr. 14,1972	Seattle, Wash.; \$25,000
Harris O. Smestad dba H. O. Smestad, an individual, P.O.B. 299, Great Falls, Mont., motor carrier; St. Paul Fire & Marine Ins. Co.	Mar. 29, 1972	Mar. 31,1972	Great Falls, Mont.
Svensson Freight Lines, 800 Pacific Ave., Yuma, Ariz., motor carrier; Transport Indemnity Co.	Jan. 25, 1972	April 3, 1972	Nogales, Ariz.; \$100,000
U.S.A.C. Transport Inc., P.O.B. 6507, Detroit, Mich., motor carrier; Newark Ins. Co. D 5/14/72	Aug. 14, 1968	Sept. 24, 1968	Detroit, Mich.; \$25,000
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<sup>1</sup> Surety is The Home Indemnity Co.

(241.2)

Leonard Lehman, Assistant Commissioner, Office of Regulationes and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is St. Paul Fire & Marine Ins. Co.

<sup>3</sup> Surety is Fireman's Fund Ins.

<sup>4</sup> Surety is The Aetna Casualty & Surety Co.

Surety is Reliance Ins. Co.

(T.D. 72-132)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 9, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
International Shipping Agency, San Juan, P.R.; Maryland Casualty Co. D 4-7-72	Mar. 15, 1967	June 19, 1967	8an Juan, P.R.; \$10,000
Italia Societa Per Azione Di Navigazione, 1 White Hall St., New York, N.Y.; Federal Ins. Co. D 4-22-72	Apr. 22,1970	Apr. 23, 1970	New York Sea- port; \$10,000
Mobil Chemical International Ltd., 150 E. 42nd St., New York, N.Y.; Federal Ins. Co. D 4-24-72	Oct. 27,1967	Oct. 27,1967	New York Sea- port; \$10,000
Neris Shipping Co., Inc. (N.Y. Corp.), 55 Liberty St., New York, N.Y.; Federal Ins. Co.	April 25, 1972	April 26, 1972	New York Sea- port; \$10,000
Pennaco-Div. of U.S. Industries, Inc. (Del. Corp.), Beachwood Ave., Concord, N.C.; St. Paul Fire & Marine Ins. Co.	April 27, 1972	April 28, 1972	Norfolk, Va.; \$10,000
Seatrain Lines, Inc. (Del. Corp.) & its wholly owned subsidiary Seatrain Lines, Calif. (Calif. Corp.), Port Seatrain, Weehawken, N.J.; St. Paul Fire & Marine Ins. Co. (PB 5-10-69) D 4-25-72.1	April 21, 1972	April 25, 1972	New York Sea- port; \$10,000
Star Shipping (U.S.W.C.) Inc., 235 Montgomery St., San Francisco, Calif.; St. Paul Fire & Marine Ins. Co.	April 14, 1972	April 14, 1972	San Francisco, Calif.; \$10,000

<sup>1</sup> Principal is Seatrain Lines, Inc.

(542.113)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

#### (T.D. 72-133)

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., May 9, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

May 1, 1972	\$0.14285
May 2, 1972	
May 3, 1972	. 142875
May 4, 1972	
May 5, 1972	. 14295

Hong Kong dollar	: Official	Free
March 27, 19	72 \$0. 1795	Not available
March 28, 19	72 1790	"
March 29, 19	721795	"
March 30, 197	72 1790	"
March 31, 19		66

#### Iran rial:

April 17	, 1972	\$0.0131
April 18	, 1972	. 0130
April 19	, 1972	. 0131
April 20	, 1972	. 0131
April 21	1972	. 0131

#### Philippine peso:

For the period April 17 through April 21, 1972, temporarily suspended.

#### Thailand baht (tical):

For the period April 17 through April 21, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342,211)

Edwin F. Rains,

Acting Commissioner of Customs.

#### (T.D. 72-134)

## Classification of girls' dress sets

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 15, 1972.

The Bureau has been requested to rule on the tariff classification of samples of girls' dress sets. The specific questions raised about the submitted samples were (1) whether the dress sets are classifiable as entireties, and (2) whether the dress sets are classifiable as knit or not knit wearing apparel.

The samples are described as follows:

Sample 3501 is a 100 percent man-made fiber, two piece ensemble consisting of a girl's dress and a long sleeved jacket. The dress is composed of a white knitted turtle-neck top and brown pleated woven skirt with a self-belt. The jacket portion is made from a woven plaid fabric which is trimmed with the same fabric employed in the skirt; in addition, the jacket colors are repeated in three stripes running horizontally around the neck of the dress.

Sample 3506 is a 100 percent man-made fiber, two piece ensemble consisting of a girl's dress and vest. The dress is composed of a white knitted turtle-neck top and pleated purple woven skirt, containing a jacquard woven design in contrasting colors. The vest is woven and color matched to the skirt portion of the dress.

Both samples are considered not to be ornamented for tariff classification purposes.

Additional information submitted by the applicant indicates that the garments are each designed for use as sets, that they are packaged and imported as sets, that they are advertised and sold at retail as sets, and that the woven portion of each set constitutes the component of chief value.

Judicial precedents pertaining to wearing apparel which involve the question of entireties are *Miniature Fashions*, *Inc.* v. *United States*, 54 C.C.P.A. 11, C.A.D. 894 (1966), and *The Nissho American Corp.* v. *United States*, 64 Cust. Ct. 378, C.D. 4005 (1970). In both *Miniature Fashions*, which dealt with children's cabana sets, and *Nissho*, which was concerned with sets consisting of cotton flannel shirts and corduroy longies, the courts found that merchandise which was designed for use together, imported together, and sold as a unit, was dutiable as an entirety. The court noted further in *Miniature Fashions* that Congress had not expressly provided separate classifications for each part of the cabana sets involved.

Accordingly, sets of the submitted wearing apparel, the individual components of which are not expressly provided for in separate classifications under the Tariff Schedules of the United States, which

are designed to be worn together as a unit, are coordinated as to color and appearance, and are packaged, shipped, advertised, and sold at wholesale and at retail as a unit, and not separately, are considered

to be entireties for tariff classification purposes.

The test to be applied in determining, for the purposes of the tariff schedules, whether a garment is classifiable as knit or not knit is set out in Gimbel Bros., Inc. v. United States, 7 Cust. Ct. 46, C.D. 531 (1941). The court, in Gimbel Bros., quoted extensively from Benson Manufacturing Corp. v. United States, T.D. 44060, affirmed 18 C.C.P.A. 391, T.D. 44640 (1930), which held that a wool fez cap was not knit because it lacked the ordinary characteristics of knitted outer wear. In Gimbel Bros., the court concluded that the knit outer portion of a lady's handbag was the predominant and characteristic part and that the handbag was, therefore, classifiable as a knit article.

The Bureau has concluded in regard to the two submitted samples
that in each the woven portions of the garments are the predominant

and characteristic parts.

Based on the foregoing, each sample is classifiable as an entirety under the provision for other girls' wearing apparel, not ornamented, of man-made fibers, not knit, in item 382.81, TSUS.

(474.7)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-135)

Release of advisory value information—Customs Regulations amended

Section 14.4, Customs Regulations, pertaining to release of advisory value information prior to arrival or shipment of merchandise, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 14-APPRAISEMENT

On September 28, 1971, there was published in the Federal Register (36 F.R. 19081), a notice of proposed rule making setting forth a proposed amendment to the Customs Regulations relating to furnishing information as to value. Interested persons were given 30 days to submit written comments, suggestions, or objections regarding the proposed regulations.

After consideration of all representations received in response to the notice, language has been added to the proposed amendment of section 14.4(b), Customs Regulations, which establishes as a condition to furnishing value information, evidence of a firm commitment or intent to import the merchandise for which advisory value information is requested. This standard accomplishes the purpose of the proposed amendment in eliminating the requirement that the goods for which value information is sought already had been exported to the United States, but would avoid frivolous requests for value information.

The proposed amendment, including this change, is adopted as set forth below:

#### PART 14-APPRAISEMENT

In section 14.4, paragraph (b) is amended to read as follows:

### 14.4 Furnishing information as to value.

(b) The information shall be given only in regard to merchandise to be appraised by, or under the jurisdiction of, the district director who receives the request, and only with respect to merchandise for which there is presented evidence of a firm commitment or intent to import such merchandise into the United States.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

Effective date: This amendment shall become effective 30 days after its publication in the Federal Register.

(014.1)

G. R. DICKERSON,

Acting Commissioner of Customs.

Approved May 11, 1972:

EUGENE T. ROSSIDES.

Assistant Secretary of the Treasury.

[Published in the Federal Register May 23, 1972 (37 F.R. 10439)]

(T.D. 72-136)

Foreign currencies—Denmark krone, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 16, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c),

Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

May 8, 1972	\$0.142925
May 9, 1972	
May 10, 1972	
May 11, 1972	. 143375
May 12, 1972	

#### Iran rial:

For the period April 24 through April 28, 1972, rate of \$0.0131.

#### Philippine peso:

For the period April 24 through April 28, 1972, rate of \$0.1465.

#### Thailand baht (tical):

For the period April 24 through April 28, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### (T.D. 72-137)

Reimbursable Services—Excess cost of preclearance operations

Department of the Treasury,

Office of the Commissioner of Customs,

Washington, D.C., May 17, 1972.

Notice is hereby given that pursuant to section 24.18(d), Customs Regulations (19 CFR 24.18(d)), the biweekly reimbursable excess costs for each preclearance installation are determined to be as set forth below and will be effective with the pay period beginning May 28, 1972.

Installation	Biweekly excess cost
Montreal, Canada	5,670
Toronto, Canada	6,288
Kindley Field, Bermuda	1,278
Nassau, Bahama Islands	3,485
Vancouver, Canada	944
Winnipeg, Canada	545
(140.57)	

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register May 26, 1972 (37 F.R. 10675)]

#### (T.D. 72-138)

### Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products
manufactured or produced in Mexico

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of April 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Mexico.

This directive was published in the Federal Register on May 3, 1972 (37 F.R. 8959), by the Committee for the Implementation of Textile Agreements.

(343.3)

LEONARD LEHMAN, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of June 29, 1971, between the Governments of the United States and Mexico, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective May 1, 1972 and for the twelve-month period extending through April 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Mexico, in excess of the designated levels of restraint set forth below.

The combined level of restraint for Categories 1 through 4, shall be 11,196,196 pounds.

The overall level of restraint for Categories 5 through 27 and part of 64 (knit fabrics) shall be 43,732,500 square yards equivalent.

Within the overall level of restraint for Categories 5 through 27 and part of 64 (knit fabrics) the following specific levels of restraint shall apply:

	Twelve-month level
Category	of restraint
9/10	12,875,625 sq. yds.
22/23	12,875,625 sq. yds.
26/27 and part of 64	17,981,250 sq. yds. (but not
(knit fabrics)	more than 7,087,500 square yards in Categories 26 and
liver the street of the second	27 shall be in duck,1 and not
to the state of the state of	more than 656,250 square
Inghospie i michigante	yards equivalent shall be in knit fabrics, T.S.U.S.A.
	Nos. 345.1020, 345.1040,
The rolling mount ground	
the late of the property of the	359.1040)

Within the overall level of restraint for Categories 5 through 27 and part of 64 (knit fabrics), each category without a specific level of restraint is subject to a consultation level of 638,142 square yards, pursuant to paragraph 7 of the bilateral agreement. If appropriate, future directions concerning these categories will be made to you by letter.

The overall level of restraint for Categories 28 through 63 and 64 (excluding knit fabrics) shall be 7,770,000 square yards equivalent. There was attached to the directive of April 28, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee, concerning cotton textiles and cotton textile products from Mexico a table of the rates of conversion into square yard equivalents of Categories 28 through 64 which may be used in implementing this part of this directive.

Within the overall level of restraint for Categories 28 through 63 and 64 (excluding knit fabrics), the following specific level of restraint shall apply:

Category
64 (excluding knit fabrics)<sup>2</sup>

Twelve-month level of restraint 639,131 pounds (of which not more than 410,869 pounds shall be in zipper tapes, T.S.U.S.A. No. 347.3340)

<sup>1</sup> Only T.S.U.S.A. Nos. :

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08 327.—01 through 04, 06, 08

<sup>322.—01</sup> through 04, 06, 08 328.—01 through 04, 06, 08 2 All of Category 64 except T.S.U.S.A. Nos. 345.1020, 345.1040, 346.4560, 353.5014, and 350.1040.

Within the overall level of restraint for Categories 28 through 63. and 64 (excluding knit fabrics), each category without a specific level of restraint is subject to a consultation level of 446,698 square yards equivalent. If appropriate, future directions concerning these categories will be made to you by letter.

In carrying out this directive, cotton textiles and cotton textile products in Categories 1 through 64 produced or manufactured in Mexico and which have been exported to the United States prior to May 1, 1972, shall to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period May 1, 1971, through April 30, 1972. In the event that any level of restraint for that period has been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of June 29, 1971. between the Governments of the United States and Mexico which provide in part that within the aggregate limit, the group limits for Group I and Group II may be exceeded by not more than 10 percent and the Group limit on Group III may be exceeded by not more than 5 percent; within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely.

STANLEY NEHMER, Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary

for Resources

#### (T.D. 72-139)

#### Cotton textiles—Restriction on entry

Restriction on category 22 cotton textiles manufactured or produced in Nicaragua

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of April 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the restriction on entry into the United States of cotton textiles, in category 22, manufactured or produced in Nicaragua.

This directive was published in the Federal Register on May 3, 1972 (37 F.R. 8960), by the Committee for the Implementation of Textile Agreements.

(343.3)

LEONARD LEHMAN, Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective April 29, 1972, and for the twelve-month period extending through April 28, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 22, produced or manufactured in Nicaragua, in excess of a level of restraint for the period of 1,050,000 square yards.

In carrying out this directive, entries of cotton textile products in Category 22, produced or manufactured in Nicaragua, which have been exported to the United States from Nicaragua prior to April 29, 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period

April 29, 1971, through April 28, 1972. In the event that the level of restraint established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

A detailed description of Category 22 in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles and cotton textile products from Nicaragua have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

#### STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-140)

# Cotton textiles—Restriction on entry

Restriction on entry of manmade fiber textile products in category 211 manufactured or produced in Hong Kong

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of May 2, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, regarding the prohibition on category 211 manmade fiber textile products manufactured or produced in Hong Kong.

This directive was published in the Federal Register on May 3, 1972 (37 F.R. 8961), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 2, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 6, 1972, between the Governments of the United States and Hong Kong, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective May 5, 1972, at midnight Eastern Daylight Savings Time and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of manmade fiber textile products in Category 211, produced or manufactured in Hong Kong and which have been exported to the United States during the period beginning October 1, 1971, and extending through September 30, 1972.

Man-made fiber textile products in Category 211 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive

shall not be denied entry under this directive.

A detailed description of Category 211 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States
for consumption shall be construed to include entry for consumption
into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Hong Kong and with respect to imports of man-made fiber textile products from Hong Kong have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Neumer.

Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

# (T.D. 72-141)

#### Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products manufactured or produced in Haiti

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of April 25, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the restriction on entry into the United States of cotton textile products, in category 51, manufactured or produced in Haiti.

This directive was published in the Federal Register on April 28, 1972 (37 F.R. 8571), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS,

Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 25, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

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DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 3, 1971, between the Governments of the United States and Haiti, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective upon publication of this letter in the Federal Register, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 51, produced or manufactured in Haiti and which have been exported to the United States during the period beginning October 1, 1971 and extending through September 30, 1972.

Cotton textile products in Category 51, produced or manufactured

in Haiti, which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the Categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Haiti and with respect to imports of cotton textiles and cotton textile products from Haiti have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T. D. 72-142)

Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles manufactured or produced in the Czechoslovak Socialist Republic

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of April 25, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles, in category 26, manufactured or produced in the Czechoslovak Socialist Republic.

This directive was published in the Federal Register on April 28, 1972 (37 F.R. 8570), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 25, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9. 1962, pursuant to the bilateral cotton textile agreement of August 29, 1969, as extended, between the Governments of the United States and the Czechoslovak Socialist Republic, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective May 1, 1972 and for the twelve-month period extending through April 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 26 (other than duck), produced or manufactured in the Czechoslovak Socialist Republic, in excess of the level of restraint for the period of 1.157.625 square vards.

Cotton textile products in Category 26 (other than duck) produced or manufactured in the Czechoslovak Socialist Republic and which have been exported prior to May 1, 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period of May 1, 1971 through April 30. 1972. In the event that the level of restraint established for that period has been exhausted by previous entries, such goods shall be subject to

the level set forth in this letter.

The level of restraint set forth above is subject to adjustment pursuant to the provisions of the bilateral agreement of August 29, 1969, as extended, between the Governments of the United States and the Czechoslovak Socialist Republic which provide, in part, that within the aggregate limit, the limitation on Category 26 (other than duck)1 may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on October 9, 1972 (36 F.R. 19722).

<sup>1</sup> The T.S.U.S.A. Nos. for duck fabric not covered by this directive are:

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08 326.—01 through 04, 06, 08 327.—01 through 04, 06, 08

<sup>322.-01</sup> through 04, 06, 08 328.-01 through 04. 06. 08

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Czechoslovak Socialist Republic and with respect to imports of cotton textiles and cotton textile products from the Czechoslovak Socialist Republic have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States, Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely, Stanley Nehmer, Chairman, Committee for the Implementation of Textile Agreements, and
Deputy Assistant Secretary
for Resources for Resources as glosjavich in Gaetpera in Conspendent. Indepartum en lin Gaet Vooloose<del>nskert</del>

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Cotton textiles—Restriction on entry

Restriction on certain cotton textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., May 18, 1972.

There is published below the directive of April 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the restriction on entry into the United States of cotton textile products, category 39, manufactured or produced in the Republic of Korea. This directive amends but does not cancel the directive of December 30, 1971, from the Chairman, President's Cabinet Textile Advisory Committee (T.D. 72-33).

The directive of April 28, 1972, was published in the Federal Register on May 3, 1972 (37 F.R. 8959), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, 20,36 gt /Ht. 25 in-Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

weathern officed notice best collected notice to appropriate April 28, 1972 and

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on December 30, 1971, from the Chairman, President's Cabinet Textile Advisory Committee, regarding imports into the United: States of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of Korea.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9. 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the level of restraint established in the aforesaid directive of December 30, 1971 for cotton textile products in Category 39, produced or manufactured in the Republic of Korea, as set forth below.

Category

Twelve-month level of restraint 39 3 3 2 4 4 2 3 3 7 5 2 3 3 3 3 3 4 1 160,578 dozen pairs CAFE NGTUS, D.C. 202: 0

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553, This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER.

Toxille Advisory Committee recording in

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

#### (T.D. 72-144)

#### Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products
manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 18, 1972.

There is published below the directive of April 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of certain categories of cotton textiles and cotton textile products manufactured or produced in the Republic of China. This directive amends but does not cancel the directive of December 30, 1971, from the Chairman, President's Cabinet Textile Advisory Committee (T.D. 72–34).

The directive of April 28, 1972, was published in the Federal Register on May 3, 1972 (37 F.R. 8958), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

April 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on December 30, 1971, from the Chairman, President's Cabinet Textile Advisory Committee, regarding imports into the United

States of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of China.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of China, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of December 30, 1971 for cotton textiles and cotton textile products in Categories 9/10, 15/16, 26/27, and 28/29, produced or manufactured in the Republic of China, as set forth below.

Category	Twelve-month level of restraint
9/10	29,701,503 sq. yds.
15/16	1,419,860 sq. yds.
26/27	5,284,229 sq. yds. (of which not
	more than 3,109,369 sq. yds.
	may be in duck fabric 1)
28/29	1,976,159 pieces

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.—01</sup> through 04, 06, 08 326.—01 through 04, 06, 08 321.—01 through 04, 06, 08 327.—01 through 04, 06, 08 328.—01 through 04, 06, 08

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Foreign currencies—Denmark krone, Iron rial, Philippine peso,
Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Iran rial, Philippine peso, and Thailand bant (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 23, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

May 15, 1972	\$0.1429
May 16, 1972	. 14305
May 17, 1972	. 1432
May 18, 1972	. 1436
May 19, 1972	1435

# Iran rial:

For the period May 1 through May 5, 1972, rate of \$0.0132,

#### Philippine peso:

For the period May 1 through May 5, 1972, rate of \$0.1465.

# Thailand baht (tical):

For the period May 1 through May 5, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,

Acting Commissioner of Customs.

(T.D. 72-146)

## Bonds.

Discontinuance of consolidated aircraft bond (air carrier blanket bond), Customs-Form 7605

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., May 25, 1972.

The following consolidated aircraft bond has been discontinued as shown below. The symbol "D" indicates that the bond has been dis-

continued on the month, day, and year represented by the figures which follow.

Hondrof Carrians

Name of principal and surety	Data of bond	Date of approval	Filed with district director of customs; amount
Universal Airlines, Oakland International Airport, Oakland, Calif.; Fidelity & Deposit Co. D 6/12/72	Apr. 12, 1967	Apr. 20, 1967	Detroit, Mich.; \$100,000

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#### Bonds

Discontinuance of consolidated aircraft bond (air carrier blanket bond), Customs Form 7605

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., May 25, 1972.

The following consolidated aircraft bond has been discontinued as shown below. The symbol "D" indicates that the bond has been discontinued on the month, day, and year represented by the figures which follow.

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Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
Lan-Ohlie Airlines, 500 Fifth Ave., New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 5/8/72	Mar. 7, 1967	Mar. 7, 1967	New York Sen- port; \$100,000

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings,

#### (T.D. 72-148)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., May 25, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
AAA Transfer, Inc., 558 Occidental Ave., Seattle, Wash., motor carrier, U.S. Fidelity & Guaranty Co.	Apr. 27, 1972	Apr. 28,	Seattle, Wash.;
Alaska Steamship Co., 83 Marion St. Viaduct, Seattle, Wash., water carrier; U.S. Fidelity & Guaranty Co. D 5/8/72	Feb. 29, 1968	Feb. 29, 1968	Seattle, Wash.; \$50,000
Calore Freight System, Inc., 275 Pine St., Seekonk, Mass., motor carrier; Peerless Ins. Co. (PB.8/18/71) D 4/28/72 1	Mar. 31, 1972	Apr. 28, 1972	Providence, R. I.; \$50,000
Davinder Freightways, Ltd., 2739 James St., Duncan, B.C., Canada, motor carrier; General Ins. Co. of America	Apr. 17, 1972	May 1, 1972	Seattle, Wash.; \$25,000
Dealers Transit, Inc., 2200 E. 170th St., Lansing, Ill., motor carrier; Fidelity & Deposit Co. of Md. <sup>3</sup>	Aug. 30, 1968	Nov. 14, 1968	Tampa, Fla.; \$25,000
Max L. Fairchild dba Max Fairchild Trucking, Box 65, Hamilton, Mont., motor carrier; St. Paul Fire & Marine Ins. Co.	Mar. 30, 1972	May 8, 1972	Great Falls, Mont.; \$25,000
Greyhound Van Lines, Inc., 13 E. Lake St., North- lake, Ill., motor carrier; St. Paul Fire & Marine Ins Co.	Apr. 14, 1972	May 3, 1972	Chicago, Ill.; \$35,000
Histele Transportation Co., Inc., 4825 Bath St., Philadelphia, Pa., motor carrier; General Ins. Co. (PB 11/23/70) D 5/8/72 <sup>2</sup>	May 8, 1972	May 8, 1972	Philadelphia, Pa.; \$25,000
Harper Motor Lines, Inc., Elberton, Ga., motor car- rier; Employers Commercial Union Ins. Co. (PB 2/28/69) D 4/27/72 4	Mar. 1, 1972	Apr. 27, 1972	Savannah, Ga.; \$50,000
Harriet Transport, Inc., 63 Conway St., New Bedford, Mass., motor carrier; Peerless Ins. Co. (PB 12/24/65) D 12/23/71 <sup>5</sup>	Dec. 23, 1971	Dec. 23, 1971	New York Sea- port; \$25,000
Lancaster Moving & Storage Ltd., 5791 Campus Rd., Malton. Ontario, Canada, motor carrier; Globe In- demnity Co. (PB 1/11/66) D 4/25/72 *	Jan. 11, 1972	Apr. 25, 1972	Detroit, Mich.; \$25,000
Oak Harbor Freight Lines, 6314 Seventh Ave. South, Seattle, Wash., motor carrier; Fidelity & Deposit Co. of Md.	May 10, 1972	May 15, 1972	Seattle, Wash.; \$25,000

See footnotes at end of table,

Name of principal and surety		ate of ond		ate of proval	Filed with district director/area director; amount
Orleans Express Co., Inc., 50 Eastern Ave., Chelsea, Mass., motor carrier; Fidelity & Guaranty Co.	Jan.	6, 1972	May	1, 1972	Boston, Mass.; \$50,000
Sanborn's Motor Express, Inc., 550 Forest Ave., Port- land, Me., motor carrier; Maine Bonding & Casualty Co (PB 6/28/71) D 4/9/72 7	Apr.	5, 1972	Apr.	9, 1972	Portland, Me.: \$50,000
Schiek Motor Express Co., Inc., 90 Cassiday Ave., Joliet, Ill., motor carrier; General Ins. Co. of Amer- ica	Apr.	19, 1972	Мау	2, 1972	Chicago, Ill.; \$25,000
Stordahl Truck Lines, Inc., Thief River Falls, Minn., motor carrier; Great American Ins. Co.	May	2, 1972	May	4, 1972	Pembina, N. D.; \$25,000
Tri-Line Expressways Ltd., 550-71st Ave. S. E., Cal- gary, Alberta, Canada, motor carrier; Ins. Co. of North America	Feb.	1, 1972	May	8, 1972	Great Falls, Mont.; \$25,000
True Transport Inc., Starboard & Export Sts., Port Newark, N.J., motor carrier; International Fidelity & Ins. Co.	Nov.	10, 1971	Jan.	7, 1972	New York Sea- port; \$25,000
Valencia Baxt Express, Inc., P.O.B. 3886, San Juan, P.R., motor carrier; Continental Casualty Co. D 3/31/71	Feb.	5, 1968	Feb.	14, 1968	San Juan, P.R.; \$25,000

1 Surety is the Home Idemnity Co.

<sup>2</sup> Change in address - Address was 7701 S. Lawndale Ave., Chicago, Ill.

8 Surety is Reliance Ins. Co.

Surety is U.S. Fidelity & Guaranty Co.

<sup>5</sup> Surety is American Fidelity Co.

Surety is U.S. Fidelity & Guaranty Co.

7 Surety is New Hampshire Ins. Co.

(241.2)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-149)

## Instruments of international traffic

Certain steel wire baskets and steel dollies designated as instruments of international traffic

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 30, 1972.

It has been established to the satisfaction of the Bureau that steel wire baskets with open mesh bottom and sides, 23 inches by 23 inches by 7 inches, and steel dollies with rubber wheels, 21 inches by 22 inches by 6 inches, used for the transportation of bread, are substantial, suitable for and capable of repeated use, and used in significant numbers in international traffic.

Under the authority of section 10.41a(a)(1), Customs Regulations (19 CFR 10.41a(a)(1)), I hereby designate the above-described steel baskets and dollies as "instruments of international traffic" within the meaning of section 322(a), Tariff Act of 1930, as amended. These baskets and dollies may be released under the procedures provided for in section 10.41a, Customs Regulations.

(542.112)

LEONARD LEHMAN, Acting Commissioner of Customs.

[Published in the Federal Register June 3, 1972 (37 F.R. 11193)]

(T.D. 72-150)

Entry of merchandise

Sections 8.8(c) and 24.5(a), Customs Regulations; notice of delay in effective date of amendment

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

On April 18, 1972, Treasury Decision 72–106 was published in the Federal Register (37 F.R. 7592), which amended sections 8.8(c) and 24.5(a) of the Customs Regulations, to prescribe the reporting of an importer number for the ultimate consignee on the Entry Record, Customs Form 5101, for each dutiable consumption entry, and each warehouse, vessel repair, or drawback entry. Additionally, the amendment provided for notification of, or application for, such importer number on Customs Form 5106.

Treasury Decision 72–106 was to become effective May 18, 1972. However, in response to numerous requests from customhouse brokers and other interested parties, and because of problems involved in the administration of the new provisions, it has been determined to delay the effective date of T.D. 72–106. The initial 6-month period during which importers of record may submit an amended Customs Form 5101 to supply the importer number for an ultimate consignee which is not available at the time of entry, shall run from this delayed date.

Accordingly, the effective date of T.D. 72-106 is hereby designated as July 17, 1972.

(014.1)

Edwin F. Rains,
Acting Commissioner of Customs.

Approved May 25, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register June 3, 1972 (37 F.R. 11167)]

## 1.99 another of the same (T.D. 72-151) . We walk of a frigh books

Foreign currencies—Denmark krone, Iran rial, Philippine peso,
Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 30, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

## Denmark krone:

May 22, 1972	\$0.14355
May 23, 1972	. 14355
May 24, 1972	. 1438
May 25, 1972	. 14365
May 26 1972	1436

#### Iran rial:

May 8, 1972	\$0.0132
May 9, 1972	. 0132
May 10, 1972	. 0132
May 11, 1972	. 0131
May 12, 1972	.0131

## Philippine peso:

For the period May 8 through May 12, 1972, rate of \$0.1465.

#### Thailand baht (tical):

For the period May 8 through May 12, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,
Acting Commissioner of Customs.

(T.D. 72-152)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., May 25, 1972.

The following are synopses of drawback rates and amendments

issued April 5, to May 17, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Calcium sulfonates, high active.—Manufactured under section 1313(b) by Continental Oil Co., Saddle Brook, N.J., at its Chester, Pa., factory, with the use of low active calcium alkylbenzene sulfonates.

Rate effective on articles manufactured on and after February 2,

1971, and exported on and after May 26, 1971.

Manufacturer's statement of April 24, 1972, forwarded to Regional Commissioners of Customs, New York, N.Y., Baltimore, Md., and Houston, Tex., May 5, 1972.

(B) Citrus juice, dehydrated; instant juice drinks or bases and instant blended juices.—Dehydrated citrus juices manufactured under section 1313(b) by Plant Industries, Inc., Anaheim, Calif., at the company's Plant City, Fla., factory, with the use of frozen concentrated orange juice; and instant juice drinks or drink bases, and instant blended citrus juices manufactured by the company at the said factory with the use of dehydrated citrus juices.

Rate effective on articles manufactured on and after September 14,

1971, and exported on and after September 22, 1971.

Manufacturer's drawback statement of February 4, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., April 14, 1972.

(C) Corn soya milk, instant.—Manufactured under section 1313(a) by Lauhoff Grain Co., Danville, Ill., at its Danville, Ill., and Crete, Neb., factories, with the use of imported or drawback granulated sugar, and manufactured under section 1313(b) at the said factories with the use of granulated sugar.

Rate effective on articles manufactured on and after November 4,

1971, and exported on and after November 5, 1971.

Manufacturer's drawback statements of January 12, 1972, and March 24, 1972, forwarded to Regional Commissioner of Customs, New Orleans, La., May 9, 1972.

(D) Cygon.—T.D. 55550-P, as amended, covering, among other things, malathion manufactured under section 1313(b) by the American Cyanamid Co., Wayne, N.J., at its Warners, N.J., factory, with the use of diethyl maleate, hereby further amended to cover cygon manu-

factured under section 1313(b) by the company at its Warners plant, Linden, N.J., with the use of dimethoate technical.

Amendment effective on articles manufactured and exported on and after December 1, 1968,

Supplemental statement of November 2, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., April 21, 1972.

(E) Dimethyl terephthalate, purified.—Manufactured under section 1313(b) by Amoco Chemicals Corp., Chicago, Ill., at its Decatur, Ala., and Joliet, Ill., factories, with the use of methyl alcohol.

Rate effective on articles manufactured and exported on and after November 4, 1969.

Manufacturer's statements of January 12, 1971, and March 13, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., April 14, 1972.

(F) Flat blanks of steel for the production of automobile parts.— Manufactured under section 1313(b) by Arrow Metal Products Corp., Detroit, Mich., with the use of cold rolled steel sheet and hot rolled steel sheet.

Rate effective on articles manufactured on and after June 28, 1968, and exported on and after May 15, 1969.

Manufacturer's statement of May 15, 1969, forwarded to Regional Commissioner of Customs, Chicago, Ill., April 18, 1972.

(G) Fluids, emulsions, surfactants, trichlorohydrogensilane, and coupling agents.—T.D. 55655–I, as amended by T.D.'s 69–55–J, and 69–160–J, covering, among other things, the allowance of drawback on ferrovanadium and Carvan (vanadium carbide), manufactured under section 1313(b), by Union Carbide Corp., New York, N.Y., at its Marietta, Ohio, and Niagara Falls, N.Y., factories, with the use of vanadium oxide, further amended to cover fluids, emulsions, surfactants, trichlorohydrogensilane, and coupling agents manufactured under section 1313(b) by the company at its Montgomery, and Sistersville, West Va., factories with the use of silicon metal.

Amendment effective on articles manufactured on and after January 1, 1970, and exported on and after January 7, 1970.

Supplemental statement of October 25, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., May 2, 1972.

(H) Milk food products.—T.D. 67-260-R, covering the foregoing products manufactured under section 1313(b), by Arco Dairies Co., Wanamingo, Minn., with the use of hard refined sugar, amended to cover the foregoing articles manufactured by Maple Island, Inc., Minneapolis, Minn., successor, at its Wanamingo, Minn., factory.

Amendment effective on articles exported on and after January 1, 1969, the date of succession.

Supplemental statement of March 20, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., April 27, 1972.

(I) Molten caprolactam, nylon polymer, nylon yarn and staple, and nylon molding compounds.—T.D. 69–74—A, as amended by T.D. 71–44—M, authorizing the allowance of drawback on, among other things, adipic acid, cyclohexanol, cyclohexanone, caprolactam, and caprolan, manufactured under the provisions of section 1313(b) by Allied Chemical Corp., New York, N.Y., at its Columbia, S.C., and Hopewell, Va., factories, with the use of synthetic phenol, further amended to cover molten caprolactam, nylon polymer, nylon yarn and staple, and nylon molding compounds, manufactured under section 1313(b) by the company at the stated factories with the use of caprolactam monomer bagged.

Amendment effective on articles manufactured and exported on and

after December 6, 1971.

Manufacturer's supplemental statement of March 30, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., April 18, 1972.

(J) Paraplex resins; kelthane products; cationic surfactants; ethyl, methyl, and butyl acrylate; hyamine 3500; acrylic emulsions and sheet (plexiglas); uformite resins (M series); ion exchange resins; paraplex and monoplex resins and orotan TV.—T.D. 71-167-A, covering, among other things, acrylic compounds manufactured under section 1313(b) by Rohm and Haas Co., Philadelphia, Pa., at its various factories with the use of n-butanol, amended to cover the articles set forth in the headnote hereof at various factories with the use of 1,3 butylene glycol, dichloro diphenyl trichloroethane; stearyl alcohol; n-methyl pyrrolidone; tertiary amine; maleic anhydride; castor oil No. 2; methacrylamide; melamine; anhydrous aluminum chloride; and formic acid.

Amendment effective as to articles covered by sections of the statement as indicated below:

Section Numbers	Manufactured on and after	Exported on and after
5 & 7	January 1, 1970	February 1, 1970
6	March 15, 1971	March 31, 1971
8	April 1, 1971	May 1, 1971
9	December 1, 1969	December 1, 1969
10	September 1, 1971	October 1, 1971
11	August 15, 1971	August 30, 1971
12	January 1, 1971	February 1, 1971
13 & 15	November 1, 1971	November 15, 1971
14	October 1, 1971	November 1, 1971
17	January 2, 1972	February 1, 1972

T.D.'s 53450-J and 55591-K revoked, T.D.'s 66-49-N and 67-183-H

partially revoked.

Manufacturer's supplemental statements of August 17, October 19, November 1, December 10 and 16, 1971, and January 19 and February 17, 1972, forwarded to Regional Commissioner of Customs, Baltimore, Md., April 5, 1972.

(K) Petrochemical products.—Manufactured under section 1313(b) by Petro-Tex Chemical Corp., Houston, Tex., with the use of butane-butylene normal butane, or butylene concentrate.

Rate effective on products manufactured on and after June 1, 1967,

and exported on and after January 16, 1968.

Manufacturer's statement of April 5, 1972, forwarded to Regional Commissioner of Customs, Houston, Tex., May 2, 1972.

(L) Puddings and gelatin desserts.—T.D. 68-185-J, as amended, covering processed sterilized milk products manufactured under section 1313(b) by Avoset Food Corp., Oakland, Calif., at its Gustine, Calif., factory, with the use of hard refined sugar, further amended to cover the articles in the headnote hereof manufactured under section 1313(b) with the use of hard refined sugar.

Amended effective on articles manufactured and exported on and

after January 1, 1970.

Supplemental statement forwarded to Regional Commissioner of Customs, San Francisco, Calif., April 14, 1972.

(M) Steel purlins; and cut to size, galvanized or painted steel sheeting.—Manufactured under section 1313(b) by Butler Manufacturing Co., Kansas City., Mo., at its factories located at Kansas City, Mo., Galesburg, Ill., Birmingham, Ala., Visalia, Calif., Fort Atkinson, Wis., Lauringburg, N.C., and Minneapolis, and St. Paul, Minn., with the use of galvanized and hot rolled steel sheet in coil.

Rate effective on articles manufactured and exported on and after

January 18, 1967.

Manufacturer's statements of October 6, 1971, and May 4, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., May 15, 1972.

(N) Titanium chips and solids.—T.D. 56239-X, authorizing the allowance of drawback on titanium ingots and cast and wrought titanium products, manufactured under section 1313(b) by Oregon Metallurgical Corp., at its Albany, Ore., factory, with the use of titanium sponge, amended to cover titanium chips and solids manufactured by the company under section 1313(b) at the stated factory with the use of titanium sponge.

Amendment effective on articles manufactured on and after August 1, 1971, and exported on and after September 1, 1971.

Supplemental statement of March 24, 1972, forwarded to Regional Commissioner of Customs, San Francisco, Calif., May 3, 1972.

(O) Titanium wire.—Manufactured under section 1313(b) by Astro Metallurgical, Wooster, Ohio, at the company's two factories located at Wooster, Ohio, with the use of titanium rods.

Rate effective on articles manufactured on and after August 3,

1970, and exported on and after October 3, 1970.

Manufacturer's statements of June 23, 1971, February 18, 1972, and April 20, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., May 10, 1972.

(P) Transformers, voltage regulators, and parts thereof.—T.D. 54452–J, as amended by T.D. 55765–I, T.D. 68–101–J, and an unpublished letter to the Regional Commissioners of Customs, New York, N.Y., and Chicago, Ill., dated July 15, 1971, authorizing the allowance of drawback under section 1313(b) on, among other things, heavy industrial and electrical machinery and equipment manufactured by Allis-Chalmers Manufacturing Co., West Allis, Wis., at its various factories with the use of, among other things, steel billets, further amended to cover (1) transformers, voltage regulators, and parts thereof manufactured by Allis-Chalmers Corp., under section 1313(b) at its Pittsburgh, Pa.; Gadsden, Ala.; and West Allis, Wis., factories, with the use of cold-rolled steel; and (2) all of the foregoing articles manufactured by the company under its new name of Allis-Chalmers Corp.

Amendment effective on articles covered by (1) above manufactured and exported on and after January 1, 1969, and on articles cov-

ered by (2) above exported on and after May 12, 1971.

Supplemental statement of March 28, 1972, forwarded to Regional Commissioners of Customs, New York, N.Y., and Chicago, Ill., May 17, 1972.

(Q) Trimethylolpropane trimethacrylate (TMPTMA); and 1,3 butylene glycol dimethacrylate.—Trimethylolpropane trimethacrylate (TMPTMA) manufactured under section 1313(b) by Sartomer Resins, Inc., Essington, Pa., at its factories located at Essington and West Chester, Pa., with the use of trimethylolpropane; and 1,3 butylene glycol dimethacrylate manufactured under section 1313(b) by the company at its above factories with the use of 1,3 butylene glycol.

Rate effective on articles manufactured on and after February 28,

1971, and exported on and after March 30, 1971.

Manufacturer's statement of November 11, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., May 15, 1972.

(R) Weather stripping, synthetic rubber.—Manufactured under section 1313(b) by the Standard Products Co., Cleveland, Ohio, with the use of synthetic rubber.

Rate effective on articles manufactured on and after January 24,

1969, and exported on and after February 24, 1970.

Manufacturer's statements of July 16, 1970, and July 16, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., April 19, 1972.

(S) White oils; petroleum sulfonate; sludge.—Manufactured under section 1313(b) by Witco Chemical Corp., New York, N.Y., at its Petrolia, Pa., and Harvey, La., plants with the use of lubricating oil.

Rate effective on products manufactured on and after August 1,

1970, and exported on and after October 7, 1970.

Manufacturer's statements of November 13, 1970, and January 20, 1972, forwarded to Regional Commissioner of Customs, New York N.Y., May 2, 1972.

## (T.D. 72-153)

Supplies and equipment for aircraft—Customs Regulations amended

Section 10.59(f), Customs Regulations, relating to free withdrawal of supplies and equipment for aircraft, amended to add Poland to the list of qualified countries

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

In accordance with section 309(d), Tariff Act of 1930, as amended (19 U.S.C. 1309(d)), the Department of Commerce has found and under date of April 25, 1972, has advised the Treasury Department that Poland allows privileges to aircraft registered in the United States and engaged in foreign trade substantially reciprocal to those provided for in sections 309 and 317 of the Tariff Act of 1930, as amended (19 U.S.C. 1309, 1317). The same privileges are therefore hereby extended to aircraft registered in Poland and engaged in foreign trade effective as of the date of such notification.

Accordingly, paragraph (f) of section 10.59, Customs Regulations, is amended by the insertion of Poland in appropriate alphabetical order and the number of this Treasury decision in the opposite column headed "Treasury Decision(s)" in the list of nations in that paragraph.

(Secs. 309, 317, 624, 46 Stat. 690, as amended, 696, as amended, 759; 19 U.S.C. 1309, 1317, 1624.)

(235)

Edwin F. Rains,

Acting Commissioner of Customs.

1070; and experted on and after October 7, 1970.

Approved May 25, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register June 7, 1972 (37 F.R. 11318)]

Manufacturer's statemen (421-27. J.T.) - 13. 1970, and January 90.

Classification of decorative planters in the form of simulated bird cages

Decision in C.A.D. 994, holding decorative planters in the form of simulated bird cages containing a number of artificial roses of plastic material with small electric bulbs inside the rosebuds classifiable under the provision for electrical articles, not specially provided for, in item 688.40, Tariff Schedules of the United States, limited

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 2, 1972.

In Ross Products, Inc. v. United States, C.A.D. 994 (decided October 29, 1970), the United States Court of Customs and Patent Appeals reversed a judgment of the United States Customs Court (C.D. 3849), and held that decorative planters in the form of simulated bird cages containing a number of artificial roses of plastic material with small electric bulbs inside the rosebuds, which bulbs are arranged on an electric cord terminating in an electric plug, were classifiable under the provision for electrical articles, not specially provided for, in item 688.40, Tariff Schedules of the United States (TSUS), rather than under the provision for other illuminating articles of base metal, in item 653.40, TSUS (now item 653.39, TSUS), as claimed by the Government. Except for its contention for classification in item 653.40, TSUS, the Government did not challenge the importer's claim for classification as electrical articles, not specially provided for, in item 688.40, TSUS.

Inasmuch as the Government has now concluded that the merchandise is chiefly used in the household, merchandise of the type involved in C.A.D. 994 shall be classifiable, if in chief value of iron or steel, under the provision for articles not specially provided for, of a type used for household use, of iron or steel, in item 653.95, TSUS, or if in chief value of rubber or plastic, under the provision for household articles not specially provided for, of rubber or plastic, in item 772.15, TSUS.

Accordingly, the court's decision in C.A.D. 994 is limited to entries which have been the subject of a judgment order of the United States Customs Court.

(344.3)

Edwin F. Rains, Acting Commissioner of Customs.

(T.D. 72–155)

Customs field organization—Supervision of the station of Easton,

Maine

Section 1.3(d), Customs Regulations, listing Customs stations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

In order to insure maximum efficiency in the Customs Service, the supervision of the Customs station of Easton, Maine, presently under the Bridgewater, Maine, port of entry, is transferred to the Fort Fairfield, Maine, port of entry.

To reflect this change the table in section 1.3(d) of the Customs Regulations, is amended by substituting "Fort Fairfield, Maine" for "Bridgewater, Maine" in the column headed "Port of entry having supervision" for the Customs station of Easton, Maine, in the Portland, Maine, district. (80 Stat. 379, sec. 1, 37 Stat. 434; 5 U.S.C. 301, 19 U.S.C. 1)

Because this amendment involves a matter relating to agency management or personnel within the meaning of 5 U.S.C. 553(a)(2), it is exempt from the notice requirement specified under the provisions of 5 U.S.C. 553(b).

Effective date: This amendment shall become effective 30 days after the date of its publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved May 31, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register June 9, 1972 (37 F.R. 11560)]

(T.D. 72-156)

Cotton textiles—Restriction on entry

Restrictions on entry of cotton textiles and cotton textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 6, 1972.

There is published below the directive of May 16, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, amending the product coverage established in the President's Cabinet Textile Advisory Committee directive of December 30, 1971 (T.D. 72–33), for category 31, cotton textile products, manufactured or produced in the Republic of Korea.

The directive of May 16, 1972, was published in the Federal Register on May 19, 1972 (37 F.R. 10097), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 16, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive further amends but does not cancel the directive issued to you on December 30, 1971, from the Chairman, President's

Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of Korea.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651of March 3, 1972, you are directed to amend, effective as soon as possible, the product coverage established in the aforesaid directive of December 30, 1971 for Category 31 as set forth below.

#### Category

Part of 31 (only T.S.U.S.A. No. 366.2740)

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-157)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products manufactured or produced in Portugal

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 6, 1972.

There is published below the directive of May 19, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, which cancels that Committee's directive of April 18, 1972 (T.D. 72–127), regarding certain categories of cotton textile products manufactured or produced in Portugal.

The directive of May 19, 1972, was published in the Federal Register on May 20, 1972 (37 F.R. 10409), by the Committee for the Imple-

mentation of Textile Agreements.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

## THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 19, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 17, 1970, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive issued to you on April 18, 1972, by the Chairman, Committee for the Implementation of Textile Agreements, regarding imports of cotton textile products in Categories 41/42/43, 44, 53, 56, and 62, produced or manufactured in Portugal, is cancelled, effective May 23, 1972.

The actions taken with respect to the Government of Portugal, and with respect to imports of cotton textiles and cotton textile products from Portugal, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the
Implementation of Textile Agreements, and
Deputy Assistant Secretary
for Resources

## (T.D. 72-158)

## Antidumping-Fish netting of manmade fibers from Japan

The Secretary of the Treasury makes public a finding of dumping with respect to fish netting of manmade fibers from Japan. Section 153.43, Customs Regulations, amended

> DEPARTMENT OF THE TREASURY, Washington, D.C., June 1, 1972.

#### TITLE 19-CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that fish nets and netting of manmade fibers from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 19, 1972 (37 F.R. 815, F.R. Doc. 72–897)).

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 18, 1972, it notified the Secretary of the Treasury that an industry in the United States is being and is likely to be injured by reason of the importation of fish netting of manmade fibers from Japan, sold at less than fair value; and that no industry in the United States is being, or is likely to be, injured, or prevented from being established, by reason of the importation of fish nets of manmade fibers from Japan, sold at less than fair value. (Published in the Federal Register of April 22, 1972 (37 F.R. 8036, F.R. Doc.72-6211).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to fish netting of manmade fibers from Japan.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.
Fish netting of manmade fibers Japan 72–158

(Sections 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

Eugene T. Rossides, Assistant Secretary of the Treasury.

[Published in the Federal Register June 9, 1972 (37 F.R. 11560)]

### (T.D. 72-159)

Foreign currencies—Denmark krone, Iran rial, Philippine peso,
Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Iran rial, Philippine peso, and Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 7, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

May 30, 1972	\$0.1443
May 31, 1972	. 14425
June 1, 1972	. 144375
June 2, 1972	. 1442

## Iran rial:

n riai:		
May 15,	1972	\$0.0131
May 16,	1972	. 0131
May 17,	1972	. 0132
May 18,	1972	. 0132
	1972	. 0132

#### Philippine peso:

For the period May 15 through May 19, 1972, rate of \$0.1465.

#### Thailand baht (tical):

For the period May 15 through May 19, 1972, rate of \$0.0475.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

Edwin F. Rains, Acting Commissioner of Customs. (T.D. 72-160)

## Antidumping-Large power transformers from France

The Secretary of the Treasury makes public a finding of dumping with respect to large power transformers from France, Section 153.43, Customs Regulations, amended

> DEPARTMENT OF THE TREASURY, Washington, D.C., June 5, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that large power transformers from France are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 21, 1972 (37 F.R. 960, F.R. Doc. 72–1020).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 20, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of April 25, 1972 (37 F.R. 8136, F.R. Doc. 72-6289).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to large power transformers from France.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

	_	
Merchandise	Country	T.D.
Large Power Transformers	France	72-160

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 14, 1972 (37 F.R. 11772)] 496-798-74-20

### (T.D. 72-161)

## Antidumping-Large power transformers from Italy

The Secretary of the Treasury makes public a finding of dumping with respect to large power transformers from Italy. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 5, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that large power transformers from Italy are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 21, 1972 (37 F.R. 960, F.R. Doc. 72–1021).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 20, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of April 25, 1972 (37 F.R. 8136, F.R. Doc. 72-6289).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to large power transformers from Italy.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.	
Large Power Transformers	Italy	72-161	

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 14, 1972 (37 F.R. 11772)]

## (T.D. 72-162)

## Antidumping-Large power transformers from Japan

The Secretary of the Treasury makes public a finding of dumping with respect to large power transformers from Japan. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 5, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that large power transformers from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 21, 1972 (37 F.R. 961, F.R. Doc. 72–1025).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 20, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of April 25, 1972 (37 F.R. 8136, F.R. Doc. 72-6289).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to large power transformers from Japan.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.

Large Power Transformers Japan 72–162

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register June 14, 1972 (37 F.R. 11773)]

### (T.D. 72-163)

Antidumping-Large power transformers from Switzerland

The Secretary of the Treasury makes public a finding of dumping with respect to large power transformers from Switzerland. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 5, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that large power transformers from Switzerland are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 21, 1972 (37 F.R. 960, F.R. Doc. 72-1022).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 20, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of April 25, 1972 (37 F.R. 8136, F.R. Doc. 72-6289).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with

respect to large power transformers from Switzerland.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.

Large Power Transformers Switzerland 72–163

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 14, 1972 (37 F.R. 11773)]

## (T.D. 72-164)

Antidumping-Large power transformers from the United Kingdom

The Secretary of the Treasury makes public a finding of dumping with respect to large power transformers from the United Kingdom. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 5, 1972.

## TITLE 19—CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that large power transformers from the United Kingdom are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of January 21, 1972 (37 F.R. 960, F.R. Doc. 72–1023).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 20, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of such merchandise into the United States. (Published in the Federal Register of April 25, 1972 (37 F.R. 8136, F.R. Doc. 72-6289).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to large power transformers from the United Kingdom.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.

Large Power Transformers United Kingdom 72–164

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 14, 1972 (37 F.R. 11773)]

(T.D. 72-165)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the **Customs Regulations** 

DEPARTMENT OF THE TREASURY. OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., June 8, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Atlas Yarn Co., Inc. (N.J. Corp.), 53 E. 34th St., Paterson, N.J.; Federal Ins. Co.	Apr. 28, 1972	May 1, 1972	New York Seaport; \$10,000
Blue Bird Body Co. (Ga. Corp.), Fort Valley, Ga.; Insurance Co. of North America (PB 2/25/64) D 3/7/72	Feb. 25, 1972	Apr. 28, 1972	Savannah, Ga.; \$10,000
Booth American Shipping Corp. (N.Y. Corp.), and W/O/S Dovar Shipping Agency, Inc., 21 West St., New York, N.Y.; Sentry Ins. a Mutual Co. (PB 3/20/67) D 5/8/72.2	Apr. 19, 1972	May 8, 1972	New York Seaport; \$10,000
Heublein, Inc., 151 Commonwealth Dr., Menlo Park, Calif.; Reliance Ins. Co.	Apr. 28, 1972	May 9, 1972	San Francisco, Calif.; \$10,000
The Hipage Co., Inc. (Va. Corp.), Citizens Office Bldg., Norfolk, Va.; St. Paul Fire & Marine Ins. Co.	May 5, 1972	May 11, 1972	Norfolk, Va.; \$10,000
Internationale Inc. (Pa. Corp.), 422 Pierce St., Beth- lehem, Pa.; Peerless Ins. Co.	May 10, 1972	May 11, 1972	New York Sea- port; \$100,000
James Yarn Sales Co., Inc. (Ohio Corp.), 2767 Landon Rd., Shaker Heights, Ohio; St. Paul Fire & Marine Ins. Co.	May 2, 1972	May 3, 1972	New York Sea- port; \$10,000
Lafarge Concrete Ltd., 1050 Main St., Vancouver, B. C., Canada; St. Paul Fire & Marine Ins. Co.	Mar. 24, 1972	May 3, 1972	Anchorage, Alaska; \$10,000
Ontario Paper Co. Ltd., Thorold, Ontario, Canada; Maryland Casualty Co.	Apr. 5, 1972	May 17, 1972	Buffalo, N.Y.; \$10,000
Port Shipping Corp., 43 Commercial Wharf, Boston, Mass.; Peerless Ins. Co.	May 15, 1972	May 15, 1972	Boston, Mass.; \$10,000
Dieter Steinmann Inc. (N.Y. Corp.), 60-30 80°h Ave., Glendale, N.Y.; Peerless Ins. Co. (PB 6/23/67) D 5/19/72 3	May 19, 1972	May 19, 1972	New York Seaport

<sup>&</sup>lt;sup>1</sup> Surety is Queen Ins. Co. of America

(542.113)

<sup>8</sup> Surety is American Casualty Co. of Reading, Pa.

LEONARD LEHMAN. Assistant Commissioner, Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is St. Paul Fire & Marine Ins. Co.

## to dage but addision struct. (T.D. 72-166) in off war deider sential

## Classification of wood veneer cannery slices

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., June 8, 1972.

In a letter dated November 14, 1969, the Bureau ruled that certain cannery slices imported to be assembled into fruit and vegetable containers were classifiable as entireties and constituted complete but unassembled containers. These slices were held to be classifiable under the provision for containers in item 204.27, Tariff Schedules of the United States (TSUS).

The articles which were the subject of the Bureau's ruling consisted of scored wood veneers .03-inch thick, each 7½ inches in width, and 14% inches in length. After importation, containers are formed by placing two of the veneers at right angles to each other in a forming machine and bending the veneers approximately 90 degrees along the scorings. A wooden or metal strip is then fastened around the top of the container to hold the veneers together.

In Border Brokerage Company, Inc. v. United States, C.D. 4325 (1972), the United States Customs Court ruled that cannery slices, similar to those ruled on by the Bureau, but imported under different circumstances, were properly classifiable under the provision for articles of wood in item 207.00, rather than under the provision for containers in item 204.27 of the schedules. The slices which were the subject of the court's decision consisted of scored sides and bottoms, each having different dimensions. The sides and bottoms were imported in different shipments on different days. The court found that each shipment constituted parts of containers and, inasmuch as item 204.27 did not provide for parts of containers, classification under that item was improper. The court did, however, recognize that had the sides and bottoms been imported in the same shipment, they would have constituted entireties properly classifiable under item 204.27.

The Bureau has been asked to what extent the court's decision in Border Brokerage Company, Inc. v. United States would modify the position represented by the Bureau's letter of November 14, 1969.

It is the opinion of the Bureau that the position taken in its letter of November 14, 1969, and the position taken by the court in the Border Brokerage case are compatible, and neither position affects the other.

Thus, shipments of cannery slices conforming to those which were the subject of the Bureau's letter will continue to be classifiable under item 204.27. Cannery slices constituting sides and bottoms of containers, which were the subject of the court's decision, and each of which are imported in separate shipments will be classifiable under item 207.00. If, however, the slices described in the court's decision are imported in the same shipment, they will constitute entireties and will be classifiable under item 204.27 of the schedules.

(481.31)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-167)

#### Ronds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 9, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
Antilliaanse Lutchtvaart Maatschappij N.V. (ALM Dutch Antillean Airlines) incorporated in Curacao, Netherlands, Antilles; Peerless Ins. Co. (PB 4/1/69) D 5/8/72 <sup>1</sup>	May 1, 1972	May 8, 1972	New York Sea- port; \$100,000

<sup>1</sup> Surety is Aetna Casualty & Surety Co.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

## (T.D. 72-168)

#### Bonded Carriers

Approval and discontinuance of carrier bonds. Customs Form 3587

# Department of the Treasury, Office of the Commissioner of Customs, Washington, D.C., June 13, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
A.B.C. Express Co., Inc., S.E. Corner 5th and Columbia Ave., Philadelphia, Pa., motor carrier; New Hampshire Ins. Co. D 3/1/72	Mar. 12, 1970	Mar. 26, 1970	Philadelphia, Pa.; \$25,000
Air Line Freight, Inc., 731 Chester Pike, Prospect Park, Pa., motor carrier; Insurance Co. of North America (PB 10/22/70) D 5/10/72 <sup>1</sup>	Apr. 17, 1972	May 10, 1972	Philadelphia, Pa.; \$25,000
Birdsall Construction Co., 821 Ave. E, Riviera Beach, Fla., motor carrier; Employers Commercial Union Ins. Co. of Boston, Mass. (PB 71/187) D 9/21/71	July 1, 1971	Sept. 22, 1971	Miami, Fla.; \$25,000
Brooklyn Eastern District Terminal, 86 Kent Ave., Brooklyn, N.Y., rail carrier; The Travelers Indem- nity Co. (PB 12/21/70) D 2/22/72 *	Feb. 22, 1972	Feb. 22, 1972	New York Seaport; \$100,000
Cam & Sons Motor Transportation, Inc., 162 North St., Fitchburg, Mass., motor carrier; The Travelers Indemnity Co.	Nov. 17, 1971	June 1, 1972	Boston, Mass.; \$25,000
Carolina Delivery Service Co., Inc., Charlotte, N.C., motor carrier: Insurance Co. of North America	Apr. 17, 1972	May 10, 1972	Wilmington, N.C.; \$50,000
Daily Express, Inc., P.O.B. 39, Carlisle, Pa., motor carrier; Seaboard Surety Co.	May 1, 1972	May 23, 1972	Baltimore, Md.; \$50,000
Eastern Freight Ways Inc., Eastern & Moonachie Aves., Carlstadt, N.J., motor carrier; American Casualty Co. of Reading, Pa. (PB 41/17) D 4/17/72 <sup>3</sup>	Apr. 17, 1972	Apr. 17, 1972	New York Seaport
Four Winds Van Lines, Inc., 4600 Eisenhower Ave., Alexandria, Va., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 2/16/70) D 4/3/72 4	Feb. 16, 1972	Apr. 3, 1972	Baltimore, Md.; \$25,000
Free State Truck Service, Inc., 10 Vernon Ave., Glen Burnie, Md., motor carrier; The Aetna Casualty & Surety Co. D 5/1/72	May 1, 1968	May 1, 1968	Baltimore, Md.; \$25,000

See footnotes at end of table.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Guif-Puerto Rico Lines, Inc., 250 Water St., Mobile, Ala., water carrier; Insurance Co. of North America (PB 4/15/66) D 5/22/72 b	Apr. 15, 1972	May 22, 1972	Mobile, Ala.; \$50,000
Lehman Cartage, Inc., 1821 Middle Ave., Elyria, Ohio, motor carrier; The Travelers Idemnity Co.	May 17, 1972	May 25, 1972	Cleveland, Ohio; \$25,000
Midwest Freight Forwarding Co, Inc., 3220 S. Wolcott Ave., Chicago, Ili., motor carrier; U.S. Fidelity & Guaranty Co. D 5725/72	Mar. 24, 1971	Apr. 6, 1971	Chicago, Ill. \$30,000
Montauk Oil Transportation Corp., 149th St. and East River, Broux, N.Y., water carrier; American Motorist Ins. Co. (PB 5/7/64) D 5/7/72 6	May 7, 1972	May 7,1972	New York Seaport; \$50,000
Overland Western Ltd., P.O.B. 460, Woodstock, Ontario, Canada, motor carrier; The Continental Ins. Co. (PB 10/31/69) D 5/22/72 7	Oct. 31, 1971	May 22, 1972	Detroit, Mich.; \$25,000
Pittston Marine Corp., 380 Madison Ave., New York, N.Y., water carrier; Federal Ins. Co. (PB 4/30/64) D 4/22/72 <sup>8</sup>	Apr. 22, 1972	Apr. 22, 1972	New York Sea- port; \$50,000
Seminole Transport Lines, Inc., P.O.B. 792, Miami, Fla., motor carrier; National Indemnity Co. (PB 3/2/71) D 3/1/72 9	Mar. 2, 1972	Mar. 2, 1972	Miami Fla.; \$25,000
Thibodeau Express, Inc., 3049 Devonshire Dr., Walk- erville, Ontario, Canada, motor carrier; St. Paul Fire & Marine Ins. Co.	May 5, 1972	May 18, 1972	Detroit, Mich.; \$25,000
(PB 6/20/68) D 5/19/72 10	and having a	Super the section	A.B. (3.85.A
Thibodeau International Transport, 740 Twenty- Fourth St., Detroit, Mich., motor carrier; Fireman's Fund Ins. Co. D 5/18/72	May 17, 1961	May 19, 1961	Detroit, Mich.; \$30,000
Turner's Express, Inc., 1300 Shelton Ave., Norfolk, Va., motor earrier; Hartford Accident & Indemnity Co. (PB 5/21/68) D 5/22/72 11	May 21, 1972	May 22, 1972	Norfolk, Va.; \$25,000
U & ME Transfer, Inc., 2626 Electronic Way, W. Palm Beach, Fla., motor carrier; St. Paul Fire & Marine Ins. Co.	Feb. 2, 1972	Feb. 15, 1972	Miami, Fla.; \$25,000
(PB 4/16/68) D 2/14/72 12  J. B. Williams Express, Inc., 120 Apollo St., motor carrier; St. Paul Fire & Marine Ins. Co.	Mar. 23, 1972	Mar. 23, 1972	New York Seaport; \$50,000

<sup>1</sup> Surety is U.S. Fire Ins. Co.

(241.2)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is The Home Indemnity Co.

<sup>3</sup> Surety is New Hampshire Ins. Co.

<sup>4</sup> Surety is The Aetna Casualty & Surety Co.

Surety is St. Paul Fire & Marine Ins. Co.

Surety is St. Paul Fire & Marine Ins. Co.
Surety is St. Paul Fire & Marine Ins. Co.

<sup>&</sup>lt;sup>7</sup> Principal is Overland Express Ltd. Surety is Glens Falls Ins. Co.

<sup>8</sup> Surety is St. Paul Fire & Marine Ins. Co.

Surety is Resolute Ins. Co.

<sup>10</sup> Principal is Thibodeau Express Ltd. Surety is The Fidelity & Casualty Co. of N.Y.

<sup>11</sup> Surety is The Continental Ins. Co.

<sup>12</sup> Surety is Aetna Ins. Co.

#### (T.D. 72-169)

Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, and Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., June 13, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

#### Denmark krone:

June 5, 1972	\$0.1442
June 6, 1972	. 14405
June 7, 1972	. 1443
June 8, 1972	. 1446
June 9, 1972	. 144725

Hong Kong dollar:	Official	Fre	6
December 20, 1971_	175000	No Ra	ate
December 21, 1971_	175000	. 17548	38*
December 22, 1971_	175000	. 1754	38*
December 23, 1971.	175000	. 17543	38*
December 24, 1971.	174500	. 1751	31*
December 27, 1971.	174500	No Ra	ate
December 28, 1971.	174500	. 1748	25*
December 29, 1971.	174500	. 1749	01*
December 30, 1971.	174500	. 1749	01*
December 31, 1971.	174500	. 1751	31*
April 3, 1972	178000	Not A	vailable
April 4, 1972	179000	66	"
April 5, 1972	179000	66	66
April 6, 1972		66	. "
April 7, 1972	179000	66	46
April 10, 1972	179000	. 1792	91*
April 11, 1972		. 1792	91*
April 12, 1972	. 179000	. 1793	72*
April 13, 1972	179000	. 1794	52*
April 14, 1972	178000	. 1793	72*

<sup>\*</sup>Certified as nominal rates.

	Official	Free	
April 17, 1972		. 179000	.179372*
April 18, 1972		. 177500	. 179291*
April 19, 1972		. 178000	. 179171*
April 20, 1972		. 178000	. 179211*
April 21, 1972.		. 179000	No Rate
April 24, 1972		. 178500	. 179291*
April 25, 1972		. 178500	. 179372*
April 26, 1972		. 178500	.179452*
April 27, 1972		. 179000	.179452*
April 28, 1972		. 179000	.179492*
May 1, 1972		. 1795	. 179452*
May 2, 1972		. 1790	. 179452*
May 3, 1972		. 1790	. 179452*
May 4, 1972		. 1790	.179492*
May 5, 1972		. 1790	. 179452*
May 8, 1972		. 1790	.179452*
May 9, 1972		. 1790	.179492*
May 10, 1972_		. 1790	. 179654*
May 11, 1972.		. 1795	. 179694*
May 12, 1972.		. 1795	. 179533*

### Iran rial:

For the period May 22 through June 2, 1972, rate of \$0.0132.

## Philippine peso:

For the period May 22 through June 2, 1972, rate of \$0.1465.

## Thailand baht (tical):

(1001)	
May 22, 1972	\$0.0475
May 23, 1972	. 0475
May 24, 1972	
May 25, 1972	. 0478
May 26, 1972	. 0480
May 29, 1972	Holiday
May 30, 1972	. 0483
May 31, 1972	. 0484
June 1, 1972	. 0480
June 2, 1972	

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

<sup>\*</sup>Certified as nominal rates.

#### (T.D. 72-170)

#### Cotton textiles—Restriction on entry

Restriction on entry of certain categories of cotton textiles manufactured or produced in Brazil

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., June 15, 1972.

There is published below the directive of May 23, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the restriction on entry into the United States of cotton textiles in certain categories manufactured or produced in Brazil. This directive amends but does not cancel the directive of September 28, 1971 (T.D. 71–268), from the Chairman, President's Cabinet Textile Advisory Committee.

This directive was published in the Federal Register on May 25, 1972 (37 F.R. 10604), by the Committee for the Implementation of Textile Agreements.

(343.3)

LEONARD LEHMAN, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 23, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on September 28, 1971 from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textiles and cotton textile products in certain categories, produced or manufactured in the Federative Republic of Brazil.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to

amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of September 28, 1971 for cotton textiles and cotton textile products in Caterories 9 and 22/23, produced or manufactured in the Federative Republic of Brazil, as set forth below.

 Category
 Twelve-Month Level of Restraint

 9
 16,000,000 sq. yds.

 22/23
 6,725,000 sq. yds.

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such action, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Nehmer,
Chairman, Committee for the
Implementation of Textile Agreements,
and Deputy Assistant Secretary for
Resources

(T.D. 72-171)

Cotton textiles-Restriction on entry

Restriction on category 39, cotton textile products, manufactured or produced in Barbados

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 15, 1972.

There is published below the directive of May 24, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry of cotton textile products, in category 39, manufactured or produced in Barbados.

This directive was published in the Federal Register on May 27, 1972 (37 F.R. 10751), by the Committee for the Implementation of Textile Agreements.

(343.3)

Leonard Lehman,
Acting Commissioner of Customs.

## THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 24, 1972.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226
DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective May 28, 1972, and for the twelve-month period extending through May 27, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 39, produced or manufactured in Barbados, in excess of a level of restraint for the period of 134,018 dozen pairs.

In carrying out this directive, entries of cotton textile products in Category 39, produced or manufactured in Barbados, which have been exported to the United States from Barbados prior to May 28, 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period May 28, 1971, through May 27, 1972. In the event that the level of restraint established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

A detailed description of Category 39 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Barbados and with respect to imports of cotton textiles and cotton textile products from Barbados have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-

making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-172)

Special classes of merchandise—Coffee

'Notice of extension of International Coffee Agreement of 1968 and import quota on coffee from nonmember countries of the International Coffee Organization

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C.

Public Law 92–262 (86 Stat. 113), approved March 24, 1972, has amended section 302 of the International Coffee Agreement Act of 1968 (19 U.S.C. 1356f), by striking out the date of July 1, 1971, and inserting in lieu thereof October 1, 1973.

In accordance with the obligations of the United States under Article 45 of the International Coffee Agreement of 1968, the Department of State has requested that in the period October 1, 1971–September 30, 1972 (the 1971/72 coffee year), the Bureau of Customs authorize the entry of 5,026,488 pounds of green coffee of nonmember origin.

Coffee entered on and after October 1, 1971, has been charged to this quota, and the quota has been filled. Upon the recommendation of the Department of State, however, coffee exported from nonmember countries of origin on a continuous voyage to the United States on or before February 29, 1972, shall be permitted entry irrespective of the quota limitation.

(343.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved June 15, 1972:
EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 24, 1972 (37 F.R. 12512)]

## This information is for (T.D. 72-173) section 16.4, Customs Reg-

## Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., June 21, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

Denmark krone:	W		
June 12, 1972		\$0. 14465	
June 12, 1972 June 13, 1972	oetib silt-woled	.1446	
June 14, 1972	Justoms from t	10 1011.1446	
June 15, 1972	emercane	.1447	
June 16, 1972	notice bus les	.1437	
Hong Kong dollar:	Official duri	saw ovit Free sid?	
May 15, 1972	\$0. 1790	\$0. 179613*	
May 16, 1972			71
May 17, 1972			
May 18, 1972		. 179613*	
May 19, 1972		.179573*	
Iran rial:			
June 5, 1972		\$0.0132	
June 6, 1972 June 7, 1972	ATEDRA TEATRES	.0132	
June 7, 1972	WARIIINGTON, D.	.0131	
June 8, 1972	TATEGRADULE THE	.0131	
June 9, 1972		.0131	
Philippine peso:	- ancon	озгливноман от Сив	
For the period June 5 t	hrough June 9,	1972, rate of \$0.1465	
Thailand baht (tical):	95	ushington, D.C. 202	
June 5, 1972		\$0.0480	
June 6, 1972		0480	
June 7, 1972		.0482	
June 8, 1972	*********	.0482	
June 9, 1972	i inimining en	0482	1

<sup>\*</sup>Certified as nominal rates.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4). . (342,211) in the American Section (342,211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 71-174)

Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in Portugal of half more than the

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS. Washington, D.C., June 23, 1972.

There is published below the directive of June 1, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products, in categories 1 through 64, manufactured or produced in Portugal.

This directive was published in the Federal Register on June 6. 1972 (37 F.R. 11287), by the Committee for the Implementation of

Textile Agreements.

(343.3)

SALVATORE E. CARAMAGNO. Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 1, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 16 of the bilateral Cotton Textile Agreement of November 17, 1970, as amended, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective on the date of publication of this letter in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64 produced or manufactured in Portugal, for which the Government of Portugal has not issued an appropriate Visa fully described below, provided however, that cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Portugal and exported therefrom prior to the date of publication shall not be denied entry until sixty days after the date of publication.

The Visa will be a stamped marking on the original copy of the invoice (Special Customs Invoice Form 5515) and will bear the authorized signature of the official issuing the Visa. A facsimile of the stamp, along with the signatures of those officials authorized to issue

Visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton textiles and cotton textile products produced or manufactured in Portugal and exported to the United States from Portugal, notwithstanding the designated shipment or shipments do not meet the aforementioned Visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R.

8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textiles and cotton textile products from Portugal have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer, Chairman, Committee for the Implementation of Textile Agreements, and

Deputy Assistant Secretary for Resources the United Stayes for

or consumption of onle

Portuguese visa for the control of shipments accountable against the blateral AGREEMENT IN COTTON TEXTILES between U.S. and PORTUGAL

Visa Nr.

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MINISTÉRIO DA ECONOMIA SECRETARIA DE ESTADO DO COMÉRCIO

## COMISSÃO REGULADORA DO COMÉRCIO DE ALGODÃO EM RAMA

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## PAG-SIMILES DAS ASSINATURAS DOS ELEMENTOS RESPONSÍVEIS DESTE ORGANISMO QUE TERÃO A PAGULDADE DE AUTENTICAR O RESPECTIVO "VISTO" DE EXPORTAÇÃO

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Dr. Lino Neves Prates

Yasoo Manuel da Silva Gonçalves

Antônio Maria Correia Duarte

Dri. Rafdio de Sousa Beteven

Haroldo Lopes GuimarKes

Isafas Campos Leite

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Hart Jog pinders

# salubaria (T.D. 72-175) and bas slines

# Cotton, wool, and manmade fiber categories

Tariff Schedules of the United States Annotated Numbers correlated with the Textile and Apparel Categories for cotton, wool, and manmade fibers

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 23, 1972.

There is published below a list of the Tariff Schedules of the United States Annotated item numbers, correlated with the textile and apparel categories for cotton, wool, and manmade fibers, used by the United States in administering the textile trade agreement programs.

A full description of the textile and apparel products falling within each of the cotton, wool, and manmade fiber categories may be obtained by using the Tariff Schedules of the United States Annotated item number in the list published below to locate the product in the tariff schedules where descriptive material is provided.

A list of categories for cotton, wool, and manmade fibers was published in the Federal Register on April 29, 1972 (37 F.R. 8801), by the Chairman, Committee for the Implementation of Textile Agreements. This list supersedes the list published in T.D. 68-94.

(343.3)

SALVATORE E. CARAMAGNO, Acting Commissioner of Customs.

## SECTION IV CROSS-REFERENCE

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT
300.6020	64	310,9100	205	32194	27	32492	26	327,30	1
300.6022	64	315.0500	64	32201	26	94	27	32	li
300,6024	64	.1000	64	02	- 26	32518	5	34	2
300.6026	64	.1500	64	03	26	20	6	44	1
300.6028	64	316,4000	128	04	26	22	11	46	1
30100	1	.6010	205	06	26	24	12	54	2
30220	1	.6020	205	08	26	48	20	58	2
30222	1			18	5	50	21	60	2
30224	2	319,2100	17	20	6	52	33	64	2
30226	3	.2300	17	22	11	54	22	68	1
30228	4	.2500	17	24	12	56	22	70	1
303.1000	64	.2700	17	26	15	58	22	76	2
.2040	64	.2900	17	28	16	60	23	78	2
.2042	64	32001	26	30	18	62	23	88	2
307.3000	128	02	26	32	19	64	23	90	2
.5000	101	03	26	34	26	68	13	92	2
.5200	101	04	26	44	9	70	14	94	2
.6000	128	06	26	46	10	72	24	. 328, 01	2
.6200	102	08	26	54	22	74	25	02	2
.6403	103	22	11	56	22	76	26	03	2
06	103	24	12	58	22	78	27	,04	2
09	103	26	15	60	23	80	24	06	2
. 12	103	28	16	62	23	82	25	08	2
15	103	30	18	64	23	84	24	18	
308.6000	205	32	19	68	13	86	25	20	
.6500	205	34	26	70	14	88	26	22	1
.6600	205	36	9	72	24	90	27.	24	li
.7000	205	38	9	74	25	92	26	26	i
.7100	205	40	9	76	26	94	27	28	li
.7500	205	42	10	78	27	326, 01	26	30	1
309.9800	205	44	9	80	24	02	. 26	32	li
.9900	205	46	10	82	25	03	26	34	2
310.0115	200	54	22	84	24	04	26	44	1 :
25	201	58	22	86	25	06	26	46	1
45	202	60	23	88	26	08	26	54	2
65	202	64	23	90	27	22	11	56	2
.0215	200	68	13	92	26	24	12	58	2
25	201	70	14	94	27	26	15	60	2
45	202	76:	26	32322	11	28	16	62	2
65	202	78	27	24	12	30	18	64	2
.0520	201	88	26	48	20	32	19	68	l i
40	202	90	27	50	21	34	26	70	l i
60	202	92	26	52	33	36	9	72	2
.0620	201	94	27	54	22	38	9	74	2
40	202	321,01	26	58	22	40	9	76	2
60	202	02	26	60	23	42	10	78	2
.1015	200	03	26	64	23	44	9	80	2
25	201	04	26 .	68	13	46	10	82	
45	202	06	26	70	14	54	22	84	2:
65	202	08	26	76	26	58	22	86	2
.1115	200	22	11	78	27	60	23	88	2
25	201	24	12	88	26	64	23	90	2
45	202	26	15	90	27	68	13	92	
65	202	28	16	92	26	70	14	94	2
.2020	201	30	18	94	27	76	26	32922	2
40	202	32	19	32422	11	78	27	24	1
60	202	34	26	24	12	88	26	48	
.2120	201	44	9	48	20	90	27	50	2
40	202	46	10.	50	21	92	26	52	2
60	202	:54	22	52	33	94	27		3
.4010	200	58	22	54	22	32701	26	54	2
25	203	60	23	58	22	02	26	58	2
45	204	321,64	23	60	23	02	26	60	2
.5010	200	68	13	64	23	03	26	64	2
25	203	70	14	68	13			68	1
45	204	76	26			06	26	70	1
,6015	204	78		70	14	08	26	76	2
30	205	/8	27	76	26	22	11	78	2
		188	26	78	27	24	12	88	26
.8000 .9000	205	90	27 26	88	. 26	26	15	90	20

## -CROSS REFERENCE-

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CA
32994	27	336,5512	104	338,3025	208	346,2400	7	351.4660	21:
330 22	11	14	104	26	208	346.3020	26	351.5010	6
24	12	16	104	29	208	40	27	40	12
48	20	18	104	42	206	346,3220	26	60	21
50	21	20	104	43	206	40	27	351,6010	6
52	33	22	104	44	208	346.3520	26	351,7040	12
54	22	24	104	45	208	40	27	60	21
58	22	26	104	46	208	346,4020	26	351.8010	6
60	23	336.6022	104	49	208	40	27	40	12
64	23	24	104	62	207	346.4520	26	60	21
68	13	26 28	104	63	207	40	27	351,9010	6
70 76	14	30	104	64	209	60	64	40	12
	26	30	104	65	209	346.5010	109	60	21
78	27	34	104	66	209	.5020	212	351,9010	6
90	26	36	104	69	209	346.5200	109	40	12
92	27	38	104	72	210	346.5610	109	60	21
94	27	40	104	.73	210	.5620	212	352.1010	6
33118	5	40	104	74	210	346.6040	212	352.2040	12
20	6	44	104	75	210	60	212	60	21
22	11	45	104	76	210	346,7000	26	352.3010	6
24	12	46	104	79	210	346.8200	109	40	12
48	20	48	104	82	207	346,9000	212	60	21
50	21	50	104	83	207	347.1000	64	352,4010	6
52	33	52	104	84	209	347.1500	64	40	12
54	22	54	104	85	209	347.2520	64	60	21
56	22	56	104	86	209	347.3320	64	352,5000	6
58	22	58	104	89	209	40	64	352,8010	6
60	23	60	104	92	210	80	64	40	12
62	23	336,6060	104	93	210	347,4000	128	60	21
64	23	62	104	94	210	347.5500	213	353,1010	6
68	13	64	104		210	347.6020	213	40	12
70	14	65	104	96 99	210	40	213	60	21
72	24	66	104	339.0500	104	347.6500	213	353.5012	6
74	25	68	104	345,1020	64	347,6800	213	14	6
76	26	70	104	.1040	64	.6900	213	16	6
78	27	72	104	.1070	110	.7000	213	32	12
80	24	74	104	.1080	211	348,0010	64 126	34 36	12
82	25	76	104	.3000	110	65	243	353,5052	21
84	24	337.5010	104	.3510	110	75	243	54	21
86	25	.5012	104	.3520	211	80	243	56	21
88	26	.5014	104	.5011	211	348,0510	64	355.0200	6
90	27	.5016	104	.5021	211	40	126	355.1520	12
92	26	.5018	104	.5022	211	65	243	40	12
94	27	.5020	104	345.5024	211	75	243	60	12
332.1020	26	.5022	104	26	211	80	243	80	12
40	27	.5024	104	28	211	349.1010	64	-90	12
332.4020	64	.5026	104	29	211	12	64	355,1620	12
40	64	.5028	104	41	211	40	128	40	12
335.5500	104	.5500	104	42	211	60	205	60	12
335.6000	210	337.6005	210	44	211	349,1500	37	80	12
336.1000	104	.7005	210	46	211	349,2520	128	90	12
336.1520	104	.8005	210	48	211	40	213	355,1800	12
40	104	.9005	210	49	211	349.3010	37	355,2500	24
336.2000	104	338,1010	210	61	211	40	128	355.3500	3
336.2500	104	12	210	62	211	60	213	355,4560	24
336.3500	104	14 16	210	64	211	350,0010	64	355,5000	6
336.4020	104	18	210	66	211	40	126	355.6000	21
40	104	338,1510	210	68	211	60	213	355.6510	6
60	104	12	210	69	211	351.0500	64	355.7000	12
336.5012		14	210	81	211	351.2040	126	355.8100	21
	104	16		82	211	60	213	355.8200	21
14	104	18	210	84	211	351.2510	64	356,1010	6
16	104	338.2500	210	86	211	40	126	40	12
20	104	338.2700	210	88	211	60	213	. 60	21
22	104	338,3012	210	89	211	351.3000	* 213	356,1510	6
24	104	338.3012	206	346.0500	8	351.4010	64	40	12
26	104	23	206	.1000	8	40	126	60	21
20	104	24	208	.1500	7 7	351.4440	126	356.2000	6
			400	.2000		351.4610	64	356.2510	6

### -CROSS REFERENCE-

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CA
356.3000	128	361,2030	132	365,3540	126	370.3200	32	376,2865	61
356,4000	213	50	241	60	242	370.3600	32	85	225
357.0512	26	361,4200	132	365,4010	64	370.4000	32	90	61
14	27	361,4400	132	365.4540	126	370.4400	32	95	225
16	26	361.4600	132			370,4800	32		
				60	242			376.5400.	63
18	27	361.4800	132	365.5010	64	370.5200	32	376.5600	240
357.1000	108	361.5000	64	40	126	370.5600	32	378.0521	58
357.1500	108	361.5422	64	60	242	370.6020	32	24	223
357.2000	105	25	241	365.7010	64	.6040	32	31	58
357.3500	213	361,5622	64	40	126	370,6420	32	32	58
357,4500	213	42	241	60	242	.6440	32	22	58
357,6010	64	361.8000	128	365.7510	64	370,6820	32	35	113
40	126	363.0100	64	40	126	370,6840	32		
60		363.0510	64					37	223
	213			60	242	370.8820	226	41	58
357.7010	64	15	36	365.7700	64	40	226	42	58
40	126	20	36	365.7820	30	372.0400	64		58
60	243	25	64	30	64	,0600	243		58
357.8010	64	363.1020	107	365,8540	126	372.0840	126	48	223
60	213	40	106	60	242	372.1010	62	51	58
357.9560	243	363.1520	104	366,0300	64	20	117	52	58
358.0210	64	40	104	366.0600	64	30	224		
								54	58
358.0510	64	363.2000	126	366.0900	64	40	63	56	113
358.0610	64	363,2560	242	366.1520	64	. 50	125	378.0558	223
358.0800	128	363.3010	. 34	366.1820	31	60	227	62	59
358,0900	128	20	28	40	31	372,1520	62	. 64	59
358.1400	243	30	35	60	31	40	63	66	239
358.2410	64	40	29	80	31	60	63	68	239
358.2610	64	363.4020	64		31	372,2500	114		
		40	64	366.2120				71	59
358.3000	128	TOTAL TOTAL		40	31	.3000	116	. 74	125
358.3500	128	363.4520	64	60	31	.3500	117	76	239
358.5000	243	40	64	80	31	.4000	125	378.1012	62
359.1020	64	363.5020	36	366,2420	31	4500	125	14	56
40	64	40	36	40 .	31	372,7000	224	16	57
60	64	60	36	60	31	372.7520	227	29	. 56
359,2025	128	363,5120	36	80	31	40	227		
.2030	213	40	36			373,0510	62	32	58
.2045	128	60	36	366.2720	31			34	57
.2043				40 .	31	20	117	39	58
.2050	213	363,5520	36	60	. 30	30	224	378,1512	62
359.3020	128	40	36	80	31	40	63	14	56
40	128	60	36	366.4200	33	50	125	16	57
60	128	363.6025	64	366.4500	64	: 60	- 240	29	56
359.5020	213	40	64	.4600	64	373,1010	62	32	58
40	.213	363,6520	107	. 4700	64	45	63		
60	213	40	106		64	373,1520	117	34	57
360.0500	132		104	366.5720				39	58
		363.7020		366,6000	64	40	125	378.2012	57
360.1000	132	. 40	104	366.6300	64	373,2500	224	18	59
360.1500	132	363.7500	128	366,6500	64	.2700	240	30	59
360,2000	64	363.8520	242	366,6900	64	374.0520	40	378.2512	57
,2500	64	40	242	366,7500	33	374.1020	40	18	59
.3000	64	60	242	366,7700	64	374,1520	62	30	59
360.4000	132	364.1120	26	366.7900	64	374.2000	111	30	39
.4600	132	364.1120	64						
4000				367.0500	128	374,2500	111	The Land	1
.4820	132	364.1520	64	.1000	128	374.3000	117	378.3510	113
. 4840	132	364,2000	108	.1500	128	374.3540	215	30	113
.6500	132	364.2200	108	,2000	128	374,4020	40	378,4010	125
.7000	132	364.3000	242	.2500	128	374,4520	40	-30	125
360.7522	64	365,0000	64	.3000	128	374.5000	111	378.4510	
40	241	365,1040	126	367,5000	242	374,6000	215		125
360,8022	64	60	242				64	30	125
42				.5500	242	376.0420		378.6010	223
	241	365.1510	164	,5900	242	376,0800	128	30	223
361.0522	64	40	126	.6000	242	376,1600	225	378.6512	239
42	64	60	242	370,0420	32	376.2425	61	18	239
50	131	365,2000	242	.0440	32	45	225	30	239
60	241	365.2510	64	.0460	32	65	61		
361,0700	132	40	126			85	225	380.0003	62
				370.0800	32			06	62
361.1000	132	365,2940	126	370.1620	32	90	61	09	62
361.1820	64	365.3110	64	.1640	32	95	225	12	60
361.1840	241	60	242	370,2020	226	376,2825	61	15	62
361.2010	64	365.3510	64	370.2400	32	45	225	18	42
			1	370.2800	32			10	1 74

-CROSS REFERENCE-

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT
380.0021	42	380,0920	48	380,5740	116	382,0030	62	382.0449	215
24	62	40	49	50	116	32	62	50	224
27	62	. 60	49	90	116	34	62	60	228
30	62	80	49	380,5900	117	40	52	62	229
33	62	90	49	380.6110	117	42	52	64	229
36	62	380,1210	48	380,6120	117	44	52	382.0466	230
40	63	20	48	30	117	46	52	68	230
43 46	63	40	49		117	48	52	70	231
49	63	60	49	50	117	382.0050	52	72	232
52	63.	80 90	49	380,6310	121	52 54	63	74	233
55	63	380,1520	55	20	121	56	63	. 76	236
58	54	40	55	30	125	58	53	78	237
61	45	380,1820	55	40	125	60	53	80	240
64	45	40	55	50	120	62	53	382,0515	117
67	46	380,2100	60	60	124	64	53	.0525	224
70	63	380,2400	60	60	125	66	53	.0545	125
73	63	380, 2752	45	380,6610	121	68	53	.0555	240
76	63	. 55	45	20	121	70	55	382,0605	62
380,0205	117		45	30	125	72	63	10	62
10	117	62	45	- 40	125	74	-54	15	62
15	117	65	45	50	120	76	46	20	62
20	117	69	45	. 60	124	78	45	25	62
25	117	72	47	90	125	80	63	30	62
40	121	511 100 75	47	380.7210	117	82	63	35	62
45	121	A11: 04 77	47	.7220	224	84	51	40	62
50	125	78	47	.7510	125	86	51	45	62
55	125	79	47	. 7520	240	88	63	50	60
60	120	82	46	380.8110	218	90	63	55	62
65 70	124	85 87	46	20	218	382,0205	117	60	42
380,0403	218	89	46	32	219	15	117	65	62
06	218	92	46	34	219	20	1117	70	43
09	219	95	46	42	221	26	1117	75	62
12	219	97	46	44	221	30	117	80	44
15	219	99	46	46	221	35	117	85	62
18	221	380,3000	63	50	224	40	117	95	62
21	221	380,3300	63	55	224	50	125	382,0902	48
24	221	380.3600	63	60	224	55	122	302,0902	40
38D.0428	222	380.3909	60	65	222	60	125	06	48
.0430	215	12	54	70	215	65	123	08	48
.0432	224	22	50	80	224	70	125	10	48
40	229	25	50	380,8410	229	382.0402	218	12	48
43	229	. 27	50	15	229	04	219	14	49
46	229	29	50	20	229	06	219	16	49
49	231	32	50	25	231	08	219	18	49
52	232	35	50	30	232	10		20	49
55	234	37	50	00:35	234	12		22	49
58	235	39	50	40	235	14		, 24	49
61 64	235	92	63	50	235	16		382.1202	48
67	237	94	63	55	237	18		04	48
70	240	380,4510	117	90	240	21		06	48
380.0505	117	.4520	224	.9010	125	22		0.08	44
.0515	224	.5110	121	.9020	240	24		10	48
.0545	125	15	121	382,0002	62	26		12	48
.0555	240	25	125	04	62	28		14	49
380,0610	62	30	120	06	62	30		16	49
15	62	35	124	08	62	31		20	49
20	62	45	125	10	62	32		20	49
25	60	50	229	12	62	33		24	49
30	62	55	229	14	62	35		382,1520	55
35	41	65	235	16	62	36		362.1320	5
40	42	70	237	18	60	38		60	5
45	62	75	238	. 20	62	40		382,1820	5
50	43	80		22	42	42	1217	40	5
55	44	380.5710		24	62	44		60	
60	62	20		26				382,2100	60
90	62	30	116	28	62	.47	.222	.2400	
380,0910	48		4					.2700	6:

### -CROSS REFERENCE-

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CA
382,3000	63	382.5435	116	382.7862	220	703,1000	224		1
.3302	52	40	116	64	220	.1500	240		1
04-	52	45	116	66	220	,9020	243		1
06	52	382.5600	117	72	221	,9040	243		1
08	52	382.5810	117	74	221	,9500	243		1
10	52	20	117	. 76	221	704.0520	39		1
12	52	30	117	80	222	70	112		1
14	53	40	117	81	215	80	214		1
16	53	45	117	83	224	.1020	39		1
18	53	50	117	85	224	70	112		1
20	53	60	117	87	224	80	214		1
22	53	70	117	382,8102	228	1520	39		1
24	.53	90	117	04	228	70	112		1
26	60	382,6010	125	06	229	80	214		1
28	54	15	122	08	229	.2000	112		1
30	54	20	122	10	229	.2500	112		1
32	54	25	125	12	230	.3000	112		
34	63	30	125	14	230	.3535	214		1
36	63	35	123	16	231	.3545	214		1
38	63	40	122	18	232	.4010	39		1
40	63	45	124	20	233	25	39		1
42	63	382,6090	125	22	236	70	112		1
44	63	382.6310	125	24	236	80	214		1
46	51	15	122	26	237	.4510	39		1
48	51	20	122	28	238	25	39		1
50	51	25	125	50	240	70	112		1
52	51	-30	125	382.8710	125	80	214		1
54	51	35	123	20	240	.5015	39		1
. 56	51	40	122	385,2000	128	70	112		1
58	51	45	124	.2500	64	80	214		1
60	51	90	125	.3000	64	704,1020	39		1
62	51	.6905	117	.4000	64	1520	39		1
64	51	10	117	.5300	243	2000	112		1
68	46	17	117	.5520	64	2500	112		1
70	45	30.	124	.6020	64	3000	112		1
80	63	35	117	.6120	243	3535	214		1
92	63	45	219	.6140	243	3545	214		1
94	63	50	216	385,7020	64	4010	39		1
382.3905	117	53	221	.7040	243	4025	39		1
15	117	65	222	.7520	64	4510	39		1
20	123	67	224	.7540	243	4525	39		1
30	117	7205	125	.8020	64	5015	39		1
35	124	10	125	.8500	243	5500	112		1
40	117	15	125	386.0400	64	5600	112		1
50	219	25	125	.0820	126	6000	112		1
60	216	30	124	.0840	243	6500	112		1
65	220	35.	125	.1000	62	7000	112		1
70	221	45	228	.2000	64	8520	214		1
80	222	50	230	.2500	64	50	214		1
85	224	55	231	.3000	64	9000	214		1
,4205	125	57	232	.4000	64	706.2015	64		1
10	122	65	238	.5000	64	2240	64		1
15	125	67	240	388,1000	128	70			1
20	123	382.7802	219	.2000	128	2415	64		1
25	122	04	219	388,3000	128	727.8020			1
35	124	06	219	.4000	128	8040			1
40	125	08	216	389.4000	243	731.4000			1
50	228	10	216	.5000	243	734.5045			
55	229	12	.216	.6000	243	745.7420	64		1
60	230	14		700.7500	125				
65	236	16		702.0520	62				
75	237	18		702.1020	63				1
80	238	20		702.5400	115				
85	240	22		.5600	115				1
382,4800	114	24	217	.6000	118				1
382.5410	116	26		.6500	119				1
20	116	30		.7000	119				1
25	116	40		.7500	125				1
30	116	50		.8000	125	14			1
JUC,				703.0500	240				

# (T.D. 72-176)

# Cotton textiles-Restriction on entry

Restriction on entry of certain cotton textiles and cotton textile products
manufactured or produced in Portugal

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 23, 1972.

There is published below the directive of June 1, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of certain categories of cotton textiles and cotton textile products manufactured or produced in Portugal. This directive amends the directive of December 21, 1971, from the Chairman, President's Cabinet Textile Advisory Committee (T.D. 72-27).

The directive of June 1, 1972, was published in the Federal Register on June 6, 1972 (37 F.R. 11286), by the Committee for the Implementation of Textile Agreements.

(343.3)

SALVATORE E. CARAMAGNO, Acting Commissioner of Customs.

### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 1. 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

### DEAR MR. COMMISSIONER:

This directive amends the directive issued to you on December 21, 1971, by the Chairman, President's Cabinet Textile Advisory Committee, concerning imports into the United States of cotton textiles and cotton textile products in certain categories produced or manufactured in Portugal.

The first paragraph of the directive of December 21, 1971, is amended, effective as soon as possible, to read as follows:

"Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 17, 1970, as amended, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective January 1, 1972, and for the twelve-month period extending through December 31, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1/2/3/4, 5/6, 9, 22, 24/25, 26, 41/42/43, 46, 50, 51, 52, 53 and parts of 62, 55, 60, and parts of 62, produced or manufactured in Portugal, in excess of the following levels of restraint:

Category	Twelve-Month Level of Restraint
1/2/0/4	10,880,212 108.
5/6 (IT) softimuo kyroeiyb/	
s published in the Foderal Regist	
s published in the Poursia Region y the Connection for the Impleme	
9	12,370,569 sq. yds.
22	2,005,586 sq. yds.
24/25 MARCHAE A ANGENYANG	7,353,814 sq. yds. (of which
leting Commissioner of Chargons.	not more than 2,674,114
	sq. yds. may be in Cate-
	gory 25)
26 negrossion is supply	3,208,937 sq. yds.
41/42/43	156,017 doz.
46	53,483 doz.
. 50	30,753 doz.
51 1 sauf	30,753 doz.
52	45,460 doz.
53 and parts of 62 (T.S	45,460 doz.
U.S.A. Nos. 382.0012, 382	
0014, 382.0635, and 382	
0640)	the second contract of the second
2 · 55	36,750 doz.
is Califord Textille Advisor 60 on	26,250 doz.
Parts of 62 (all of the cate-	171,448 lbs. (of which not
gory except T.S.U.S.A.	more than 74,340 lbs. may
Nos. 382.0012, 382.0014,	be in T.S.U.S.A. Nos. 380
382.0635, and 382.0640)	0024, 380.0645, 382.0024,
did to road as follows:	and 383.0665)

The actions taken with respect to the Government of Portugal, and with respect to imports of cotton textiles and cotton textile products from Portugal, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,

Chairman, Committee for the

Implementation of Textile Agreements, and

Deputy Assistant Secretary

for Resources

(T.D. 72-177)

Territorial sea and contiguous zone—Public Notice of Department of State

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 26, 1972.

There is published below Public Notice 358, promulgated by the Department of State for the purposes of the implementation and enforcement of the laws and treaties of the United States applicable to its territorial sea and contiguous zone.

This notice was published in the Federal Register on June 15, 1972 (37 F.R. 11906).

(217.3)

Salvatore E. Caramagno,
for Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

# DEPARTMENT OF STATE [Public Notice 358]

U.S. TERRITORIAL SEA AND CONTIGUOUS ZONE

Implementation and Enforcement of Laws

This notice is for the purposes of the implementation and enforcement of the laws and treaties of the United States applicable to its

territorial sea and contiguous zone. It is the position of the United States in the conduct of its affairs that there exists off its coast a 3-mile territorial sea and a 9-mile contiguous zone of high seas seaward of the territorial sea for the purposes of the customs, fiscal, immigration, and sanitary controls described in Article 24 of the Convention on the Territorial Sea and the Contiguous Zone, and for the purposes of exclusive fisheries rights under Public Law 89-658 of October 14, 1966.

Dated: June 1, 1972.

committee for the

John R. Stevenson, The Legal Adviser.

### (T.D. 72–178)

# Antidumping-Asbestos cement pipe from Japan

The Secretary of the Treasury makes public a finding of dumping with respect to asbestos cement pipe from Japan. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 26, 1972.

### TITLE 19—CUSTOMS DUTIES

### CHAPTER I—BUREAU OF CUSTOMS

### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that asbestos cement pipe from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of February 3, 1972 (37 F.R. 2600, F.R. Doc. 72–1699).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on May 2, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of asbestos cement pipe from Japan sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of May 6, 1972 (37 F.R. 9267, F.R. Doc. 72-6922).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to asbestos cement pipe from Japan. Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.
Asbestos cement pipe Japan 72–178

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 28, 1972 (37 F.R. 12727)]

## (T.D. 72-179)

## Antidumping-Elemental sulphur from Mexico

The Secretary of the Treasury makes public a finding of dumping with respect to elemental sulphur from Mexico. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., June 26, 1972.

### TITLE 19—CUSTOMS DUTIES

### CHAPTER I-BUREAU OF CUSTOMS

### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that elemental sulphur (also spelled sulfur) from Mexico is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of February 5, 1972 (37 F.R. 2793, F.R. Doc. 72-1857).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on May 4, 1972, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of elemental sulphur from Mexico that is being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of May 10, 1972 (37 F.R. 9417, F.R. Doc. 72–7084).

On behalf of the Secretary of the Treasury, I hereby make public

these determinations, which constitute a finding of dumping with respect to elemental sulphur from Mexico.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.

Elemental Sulphur Mexico 72–179

(Sec. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register June 28, 1972 (37 F.R. 12727)]

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Bonds

Approval and discontinuance of bonds for the control of identified shipping containers

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 26, 1972.

The following bonds for the control of identified shipping containers have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs
Trans World Airlines, Inc., (Del. Corp.), 605 Third Ave., New York, N.Y.; The Continental Ins. Co. (PB 5/2/61) D 5/9/62 1 (PB 4/30/62) D 4/30/72 2	April 30, 1972	May 18, 1972	New York Seaport

Surety is Federal Ins. Co.

(542.113) 14 .A.A. Top 2701.,01 yell. In abelyall Jamba'l admini

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

<sup>3</sup> Surety is Federal Ins. Co.

on June S. 1972 (37 F.R. 1(181-27), Committee for the Imple-

### Bonds

Approval of consolidated aircraft bond (air carrier blanket bond) Customs Form 7605

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS. Washington. D.C., June 26, 1972.

The following consolidated aircraft bond has been approved as: follows:

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount	
McCuiloch International Airlines, Inc., 2734 E. Spring St., Long Beach, Calif.; Argonaut Ins. Co.	May 30, 1972	June 12, 1972	J. F. Kennedy Airport; \$100,000	

Principal has not been designated as a carrier of bonded merchandise.

(232.1) Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

to granul, effective as noon at possible, the product coverage estab-(T.D. 72–182)

Cotton textiles—Restriction on entry

Restriction on entry of certain manmade fiber textile products manufactured or produced in Hong Kong

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS. Washington, D.C., June 27, 1972.

There is published below the directive of June 5, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry of manmade fiber textile products, in category 211, manufactured or produced in Hong Kong. This directive amends but does not cancel the directive of May 2, 1972, from the above-cited committee (T.D.

The directive of June 5, 1972, was published in the Federal Register.

on June 8, 1972 (37 F.R. 11505), by the Committee for the Implementation of Textile Agreements.

(343.3)

Edwin F. Rains, Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 5, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on May 2, 1972, from the Chairman, Committee for the Implementation of Textile Agreements, regarding imports into the United States of man-made fiber textile products in Category 211, produced or manufactured in Hong Kong.

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 6, 1972, between the Governments of the United States and Hong Kong, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the product coverage established in the aforesaid directive of May 2, 1971 for Category 211 as set forth below.

#### Category

211 (excluding T.S.U.S.A. Nos. 345.1080, 345.3520 and 345.5011)

The actions taken with respect to the Government of Hong Kong and with respect to imports of man-made fiber textile products from Hong Kong have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Nehmer,

Chairman, Committee for the Implementation

of Textile Agreements, and

Deputy Assistant Secretary

for Resources.

# (T.D. 72–183)

# Foreign currencies—Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., June 27, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange for the dates and countries as indicated:

### Denmark krone:

June 19, 1972	\$0. 143875
June 20, 1972	
June 21, 1972	
June 22, 1972	. 14175
June 23, 1972	1350

Hong Kong dollar:	Official	Free
May 22, 1972	\$0.1790	\$0.179613*
May 23, 1972	. 1790	. 179613*
May 24, 1972	. 1790	.179533*
May 25, 1972	. 1760	.179452*
May 26, 1972	. 1770	. 179412*
May 29, 1972	Ho	liday
May 30, 1972	. 1800	. 179694*
May 31, 1972	. 1800	.179734*
June 1, 1972		.179694*
Tumo 0 1070	1000	170004\$

### Iran rial:

June 12, 1972	\$.0132
June 13, 1972	. 0132
June 14, 1972	. 0131
June 15, 1972	. 0131
June 16, 1972	. 0131

## Philippine peso:

For the period June 12 through June 16, 1972, rate of \$0.1465.

### Thailand baht (tical):

For the period June 12 through June 16, 1972, rate of \$0.0482.

<sup>\*</sup>Certified as nominal rates.

This information is for use pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

EDWIN F. RAINS,

Acting Commissioner of Customs.

(T.D. 72–184)

# Bonds

Approval of consolidated aircraft bond (air carrier blanket bond) Customs
Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 3, 1972.

The following consolidated aircraft bond has been approved as follows:

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
British Caledonian Airways (Charter) Ltd., London Airport—Gatwick, Horley, Surrey, England; Com- mercial Ins. Co. of Newark, N.J.	June 1, 1972	June 21, 1972	J. F. Kennedy Airport; \$100,000

The foregoing principal has not been designated as a carrier of bonded merchandise.

(232.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-185)

### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 3, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been

discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Antilles Shipping Corp., Isla Grande Airport, San Juan, P.R.; U.S. Fidelity & Guaranty Co.	May 25, 1972	May 26, 1972	San Juan, P.R.; \$10,000
Foote Mineral Co., Rte 100, Exton, Pa.; St. Paul Fire & Marine Ins. Co.	June 2, 1972	June 5, 1972	New Orleans, La.; \$10,000
Hudson Shipping Co., Inc. (N.Y. Corp.), 20 Vessey St., New York, N.Y.; Peerless Ins. Co. (PB 6/6/68) D 6/5/72 1	June 5, 1972	June 5, 1972	New York Sea- port; \$10,000
International Great Lakes Shipping Co., 3140 Book Bldg., Detroit, Mich.; The Home Indemnity Co.	May 24, 1972	June 12, 1972	Detroit, Mich.; \$10,000
A. Kemp Fisheries, Inc., 23 N. First Ave. W., Duluth, Minn.; Western Surety Co. D 7/22/72	July 22, 1968	Aug. 5, 1968	Duluth, Minn.; \$10,000
Oivind Lorentzen Inc., 21 West St., New York, N. Y.; Federal Ins. Co.	May 31, 1972	June 8, 1972	New Orleans, La.; \$10,000
J. J. Ryan & Sons, Inc. (Del. Corp.), Greenville, S. C.; St. Paul Fire & Marine Ins. Co.	June 12, 1972	June 15, 1972	Wilmington, N.C.; \$10,000
SSI Container Corp., 1 Embarcadero Center, San Francisco, Calif.; Sentry Ins., A Mutual Co.	May 26, 1972	May 26, 1972	San Francisco, Calif.; \$10,000
Ship Tank Container Corp., Foot of Grace St., Secaucus, N. J.; American Casualty Co. of Reading,	Mar. 28, 1968	Mar. 29, 1968	New York Sea- port; \$50,000
Pa. D 6/23/72	1270	Late Horne	Yorda, N. L.
Skyline Air Freight, Inc., 147-05 New York Blvd., Jamaica, N. Y.; The Travelers Indemnity Co.	May 26, 1972	June 12, 1972	J. F. Kennedy Airport; \$10,000
Southeastern Maritime Co., 310 E. Bay St., Savannah, Ga.; United States Fidelity & Guaranty Co.	May 22, 1972	May 31,1972	Savannah, Ga.; \$10,000

Surety is American Casualty Co.

(542.113)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-186)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., June 28, 1972.

The following are synopses of drawback rates and amendments issued August 16, 1971, to April 13, 1972, inclusive, pursuant to sections

<sup>&</sup>lt;sup>2</sup> Surety is Hartford Accident & Indemnity Co.

22.1 and 22.5, inclusive, Customs Regulations; and approvals under section 22.6, Customs Regulations.

(731.1)

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings.

(A) Aircraft engines.—T.D. 37886(C), as amended and extended, in particular by T.D. 66-60-A, covering, among other things, jet aircraft engines manufactured under section 1313 (a) and (b) by General Electric Co., Schenectady, N.Y., at its factories located at West Lynn, Mass., and Rutland, Vt., with the use of imported or drawback aircraft engine parts and subassemblies, and with the use of transfer gear boxes, accessory gear boxes, and stage #1 aircraft engine buckets, further amended to cover the above articles manufactured by the said company under section 1313(a) at its West Lynn, Mass., factory, with the additional use of imported combustion chambers and exhaust frames.

Amendment effective on articles manufactured on and after February 15, 1971, and exported on and after March 22, 1971.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 23, 1972.

(B) Airplanes.—Manufactured under section 1313(a) by Mitsubishi Aircraft International, Inc., San Angelo, Tex., at its factory located at Mathis Airfield, San Angelo, Tex., with the use of imported unassembled air frame components.

Rate effective on aircraft manufactured on and after March 10, 1971, and exported on and after June 4, 1971.

Rate issued by Regional Commissioner of Customs, Houston, Tex., April 4, 1972.

(C) Airplanes, executive, completely finished.—Manufactured under section 1313(a) by Beech Aircraft Corp., Wichita, Kans., with the use of imported unfinished airplanes (bare skin, devoid of any interior fittings).

Rate effective on articles manufactured and exported on and after August 11, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., October 19, 1971.

(D) Barite, ground (barytes).—T.D. 52754-E, as amended by T.D.'s 53572-B, 54088-I, 54817-A, and 69-144-C, covering, among

other things, ground barite (barytes) manufactured under section 1313(b) by National Lead Co., Baroid Div., New York, N.Y., at its several factories, with the use of crude barite (barytes) ore, amended to cover the change in name of the manufacturer to Baroid Div., NL Industries, Inc.

Amendment effective on articles exported on and after April 16,

1971.

Amendment issued by Regional Commissioner of Customs, Houston, Tex., August 16, 1971.

(E) Chloramphenicol, U.S.P.—Manufactured under section 1313 (a) by Rachelle Laboratories, Inc., Long Beach, Calif., with the use of imported Levo Base (D-Threo-1-Nitrophenyl-2-Amino-Propane-1, 3, Dial).

Rate effective on articles manufactured on and after February 1,

1971, and exported on and after March 10, 1971.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., August 31, 1971.

(F) Dimethyl terephthalate (DMT).—T.D. 67-126-N, covering, among other things, dimethyl terephthalate (DMT) manufactured under section 1313(b) by Hercules, Inc., Wilmington, Del., at its Burlington, N.J., and Spartanburg, S.C., factories, with the use of methyl alcohol, amended to cover the said articles manufactured at an additional factory located at Wilmington, N.C.

Amendment effective on articles manufactured on and after Feb-

ruary 1, 1969, and exported on and after February 2, 1969.

Amendment issued by Regional Commissioner of Customs, Baltimore, Md., October 13, 1971.

(G) Dresses and blouses, ladies.—Manufactured under section 1313 (a) by Silver Springs Sportswear Corp., New York, N.Y., at its factory located at Ocala, Fla., with the use of imported fabrics.

Rate effective on articles manufactured and exported on and after

September 1, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 17, 1972.

(H) Dry mixers, combo mixers and cooling mixers.—Manufactured under section 1313(a) by Welding Engineers, Inc., Norristown, Pa., with the use of imported incomplete tank type mixers.

Rate effective on articles manufactured on and after September 1,

1967, and exported on and after November 21, 1967.

Rate issued by Regional Commissioner of Customs, Baltimore, Md., October 7, 1971. (I) Floating head heat exchanger tube bundles.—Manufactured under section 1313(a) by Industrial Fabricating Co., Div. of Fram Corp., Tulsa, Okla., with the use of imported copper alloy tubes and circles.

Rate effective on articles manufactured on and after February 4, 1972, and exported on and after February 28, 1972.

Rate issued by Regional Commissioner of Customs, Houston, Tex., March 10, 1972.

(J) Knitted nylon half portions of women's pantyhoses (tubes), dyed.—Manufactured under section 1313(a) by Manhattan Hosiery Corp., Aguadilla, Puerto Rico, with the use of imported nylon yarn. Rate effective on articles manufactured on and after January 1,

1971, and exported on and after February 2, 1971.

Rate issued by Regional Commissioner of Customs, Miami, Fla., February 18, 1972.

(K) L-Acetyl aminonitrile and methyldopa, not sterilized.—Manufactured under section 1313(a) by Merck Sharp and Dohme Quimca de Puerto Rico, Inc., Barceloneta, Puerto Rico, with the use of imported acetyl aminonitriles.

Rate effective on articles manufactured and exported on and after

January 1, 1972.

Rate issued by Regional Commissioner of Customs, Miami, Fla., February 18, 1972.

(L) Orcoacid sulpho rhodamine B ex. concentrated.—T.D. 55580-Z, as amended, covering, among other things, nerosol black R.F. manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported coal tar derivatives, further amended to cover orcoacid sulpho rhodamine B ex. concentrated manufactured by the company with the use of imported 100% kayaku acid rhodamine FB.

Amendment effective on articles manufactured on and after September 10, 1971, and exported on and after September 16, 1971.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., November 12, 1971.

(M) Orcotol MNN.—T.D. 55580-Z, as amended, covering, among other things, nerosol black R. F. manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported coal tar derivatives, further amended to cover orcotol M N manufactured by the company with the use of imported sodium meta nitro benzene sulfonate.

Amendment effective on articles manufactured and exported on and after May 15, 1972.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., April 13, 1972.

(N) Panels, polyester fiberglass.—Manufactured under section 1313 (a) by Filon Div. of Vistron Corp., Hawthorne, Calif., with the use of imported fiberglass roving.

Rate effective on articles manufactured and exported on and after March 14, 1972.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., April 12, 1972.

(O) Pantyhose, nylon.—Manufactured under section 1313(a) by United Hosiery Mills Ltd., Aguadilla, Puerto Rico, at its factory located at Guanica, Puerto Rico, with the use of imported yarn, gussets, and knitted nylon half portions of pantyhoses (tubes).

Rate effective on articles manufactured on and after February 17,

1971, and exported on and after June 10, 1971.

Rate issued by Regional Commissioner of Customs, Miami, Fla., February 18, 1972.

(P) Pexol, paste and dry.—T.D. 53998-A, as amended, covering, among other things, paste pexol and dry pexol manufactured under section 1313(b) by Hercules, Inc., Wilmington, Del., at its Brunswick, Ga.; Savannah, Ga.; Portland, Ore.; and Franklin, Va., factories, with the use of fumaric acid, further amended to cover the said article manufactured at additional plants located in Milwaukee, Wis., and Kalamazoo, Mich.

Amendment effective on articles manufactured on and after October 14, 1969, and exported on and after October 15, 1969.

Amendment issued by Regional Commissioner of Customs, Baltimore, Md., September 24, 1971.

(Q) Photorepeaters and pattern generator.—Manufactured under section 1313(a) by David W. Mann Co., Div. of GCA Corp., Burlington, Mass., with the use of imported nikon lenses.

Rate effective on articles manufactured on and after January 1, 1970, and exported on and after October 12, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., November 3, 1971.

(R) Piece goods, bubble pleated, permanent.—Manufactured under section 1313(a) by Stylist Pleating Corp., New York, N.Y., with the use of imported or drawback plain, dyed, or printed piece goods of polyester or other man-made fiber.

Rate effective on articles manufactured and exported on and after February 3, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., September 22, 1971.

(S) Plastic colorants.—T.D. 53450-B, as amended by T.D.'s 54542-E, 55230-B, and 66-172-C, covering, among other things, organic pigment and blended organic pigment colors manufactured under section 1313 (a) by Hercules, Inc., Wilmington, Del., at its Glens Falls, N.Y., factory, with the use of imported dyestuffs, chemicals, coal tar intermediates and drawback products, further amended to cover plastic colorants manufactured under section 1313 (a) by the company with the use of imported coal tar colors and imported inorganic colors.

Amendment effective on articles manufactured on and after April 4,

1965, and exported on and after April 4, 1970.

Amendment issued by Regional Commissioner of Customs, Baltimore, Md., September 24, 1971.

(T) Power tools and trimmers.—Manufactured under section 1313
(a) by H. K. Porter Co., Inc., Pittsburgh, Pa., at its factory located at Danville, Va., with the use of imported electric motors.

Rate effective on articles manufactured on and after June 1, 1971,

and exported on and after June 24, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 21, 1972.

(U) Razor blade blanks, safety; band blade strips.—T.D. 66-34-I, covering safety razor blade blanks manufactured under section 1313 (a) and (b) by Schick Safety Razor Co., Div. of Eversharp, Inc., Milford, Conn., with the use of imported or drawback stainless steel strip, and with the use of carbon steel strip, at its factory located at Milford, Conn., amended to cover: (1) the above mentioned articles manufactured by Schick Safety Razor Co., Div. of Warner-Lambert Co., Milford, Conn., successor; and (2) band blade strips manufactured under section 1313(a) by the successor company at its Milford, Conn., factory with the use of imported stainless steel strip.

Amendment effective on articles covered by (1), above, which are exported on and after May 13, 1970, the date of succession, and on articles covered by (2), above, which are manufactured and exported on

and after May 13, 1970.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., March 2, 1972.

(V) Roller bearing raceways (rings).—Manufactured under section 1313(a) by FAG Bearings Corp., Stamford, Conn., at its factory

iocated at Joplin, Mo., with the use of imported or drawback raw steel forgings.

Rate effective on articles manufactured on and after July 20, 1971,

and exported on and after October 1, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., October 28, 1971.

(W) Tape, reinforced gummed sealing.—Manufactured under section 1313(a) by Keena Corp., Brunswick, Maine, with the use of imported gummed kraft paper and plain kraft paper.

Rate effective on articles manufactured on and after February 15,

1971, and exported on and after March 4, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., October 5, 1971.

### Approvals under section 22.6, Customs Regulations

(1) Bags, jute; waterproof paper lined burlap bags; polyethylene strip laminated burlap bags; cotton bags.—T.D. 43483—A, as amended by T.D.'s 44217—C, 55263(1), 68–230(1), and 70–109(1), covering jute bags, waterproof paper lined burlap bags; polyethylene strip laminated burlap bags; and cotton bags manufactured under section 1313 (a) by Werthan Bag Corp., Nashville, Tenn., at its Nashville, Tenn., and New Orleans, La., factories, with the use of burlap and cotton fabrics, amended to cover change in name of the manufacturer to Werthan Industries, Inc.

Amendment effective on articles exported on and after July 17, 1970. Amendment issued by Regional Commissioner of Customs, New Orleans, La., September 20, 1971.

(2) Petroleum products.—T.D. 67-41(1), covering petroleum products manufactured under section 1313 (b) by Kendall Refining Co., Bradford, Pa., with the use of crude petroleum or petroleum derivatives, amended (1) to cover the foregoing products manufactured at the said refinery by Witco Chemical Co., Inc., New York, N.Y., successor, and (2) to cover a change in name of the successor company to Witco Chemical Corp.

Amendment effective on products covered by amendment (1) herein which are exported on and after March 18, 1966, the date of succession, and on the products covered by amendment (2) herein which are exported on and after April 25, 1968, the date of the change in name.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., July 13, 1971. (3) Piece goods, dyed and finished.—Manufactured under section 1313(a) by World Dyeing and Finishing Co., Inc., New York, N.Y., with the use of imported or drawback piece goods in the greige.

Manufacturer's drawback statement of December 14, 1971, approved by Regional Commissioner of Customs, New York, N.Y.,

March 23, 1972.

Approval effective on articles manufactured and exported on and after November 29, 1971.

(4) Piece goods, mercerized.—T.D. 54547(1), covering the foregoing merchandise manufactured under section 1313(a) by Cold Spring Bleachery, Yardley, Pa., with the use of imported or drawback piece goods in the greige, amended to cover such articles manufactured by Cold Spring Co., Yardley, Pa., successor.

Amendment effective on articles exported on and after January 4,

1971, the date of succession.

security, and 70-100(1), surveing inte

Amendment issued by Regional Commissioner of Customs, New York, N.Y., October 13, 1971.

# -intal girls and third og : (T.D. 72-187) and ranged to original established

Countervailing duties—Sugar content of certain articles from Australia

Net amount of bounty declared for the period January 1972 through May 1972 for products of Australia subject to the countervailing duty order published in T.D. 54582. Section 16.24(f), Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 16—LIQUIDATION OF DUTIES

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the period January 1972 through May 1972 of approved fruit products and other approved

products containing sugar are the amounts set forth in the following table:

# MERCHANDISE—APPROVED FRUIT PRODUCTS AND OTHER APPROVED PRODUCTS

Month		Net amount of bounty
January 1972	1107	per 2,240 lbs. of sugar content Aus. \$31.10
February 1972		nil
March 1972		nil
April 1972		nil
May 1972		nil

The net amount of bounties or grants on the above-described commodities which are manufactured or produced in Australia is hereby ascertained, determined, and declared to be the rate stated in the above table. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the net amounts of the bounty shown above shall be assessed and collected.

The table in section 16.24(f) under "Australia—Sugar content of certain articles" is amended (1) by deleting therefrom the reference to T.D. 70-225 and (2) by adding a reference to this Treasury Decision. As amended the last three lines of the table under this commodity will read:

Country	Commodity	Treasury Decision	Action
June 12.	_	71-276 72-61 72-187	New rate. New rate. New rate.

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624.) (644)

> EDWIN F. RAINS, Acting Commissioner of Customs.

Approved June 30, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register July 13, 1972 (37 F.R. 13712)]

### (T.D. 72-188)

## Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles manufactured or produced in Brazil

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 6, 1972.

There is published below the directive of June 19, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles in certain categories manufactured or produced in Brazil. This directive amends the directive of September 28, 1971, from the President's Cabinet Textile Advisory Committee (T.D. 71–268).

The directive of June 19, 1972, was published in the Federal Register on June 22, 1972 (37 F.R. 12338), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 19, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On September 28, 1971, the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles and cotton textile products in certain specified categories produced or manufactured in the Federative Republic of Brazil during the twelvementh period beginning October 1, 1971 in excess of designated levels of restraint. The Chairman further advised you that in the event that

there were any adjustments 1 in the levels of restraint you would be so informed by letter.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 5 of the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of September 28, 1971 for cotton textile products in Categories 18/19 and part of 26 (print cloth) and part of 26/27 (duck fabric), produced or manufactured in the Federative Republic of Brazil, as set forth below.

PARAMETER STATE OF A STATE OF THE STATE OF T	Twelve-Month Level
Category	of Restraint
18/19 and part of 26	
(print cloth) <sup>2</sup>	11,576,250 sq. yds.
part of 26/27 3	2,756,250 sq. yds.

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours.

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

¹ The term "adjustments" refers to those provisions of the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

<sup>&</sup>lt;sup>2</sup> In Category 26, the T.S.U.S.A. Nos. for print cloth are: 320.—34 322.—34 327.—34

<sup>321.—34</sup> \* The T.S.U.S.A. Nos, for duck fabric are :

<sup>320.—01</sup> through 04. 06, 08 326.—01 through 04. 06, 08 327.—01 through 04. 06, 08 327.—01 through 04. 06, 08 328.—01 through 04. 06, 08

ed bliow may admissed to (T.D. 72-189) mondauthe year mow great

Permits—Special licenses, unlading-lading-overtime services

Sections 4.10, 4.30, 6.2, Customs Regulations, relating to the granting of term permits and special licenses and their revocation, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 6-AIR COMMERCE REGULATIONS

On October 28, 1971, a notice of proposed rule making regarding the issuance and revocation of permits-special licenses for unlading, lading and overtime services of Customs officers was published in the Federal Register (36 F.R. 20697). Interested persons were given an opportunity to submit written comments, suggestions or objections. None were submitted. The amendments as proposed are hereby adopted as set forth below:

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

Section 4.10 is amended to read:

§ 4.10 Request for overtime services.—Request for overtime services in connection with the entry or clearance of a vessel, including the boarding of a vessel for the purpose of preliminary entry,22 shall be made on Customs Form 3171. (See § 24.16 of this chapter regarding pleasure vessels.) Such request for overtime services must specify the nature of the services desired and the exact times when they will be needed, unless a term special license (unlimited or limited to the service requested) has been issued (see § 4.30(q)) and arrangements are made locally so that the proper Customs officer will be notified during official hours in advance of the rendering of the services as to the nature of the services desired and the exact times they will be needed. Such request shall not be approved (previously issued term special licenses shall be revoked) unless the carrier complies with the provisions of paragraphs (1) and (m) of § 4.30 regarding terminal facilities and employee lists, respectively, and the required cash deposit or bond, on Customs Form 7567 or 7569, has been received. Separate bonds shall be required if overtime services are requested by different principals.

(Secs. 448, 451, 46 Stat. 714, as amended, 715, as amended; 19 U.S.C. 1448, 1451)

Paragraphs (a), (b), (c), (f), (g), (h), and (i) of § 4.30 are amended to read as follows:

# § 4.30 Permits and special licenses for unlading and lading.—

(a) Except as prescribed in paragraph (f), (g), or, (k) of this section or in § 123.8 of this chapter, and except in the case of a vessel exempt from entry or clearance under 19 U.S.C. 288, 55 no passengers, 56 cargo, 57 baggage, 57 or other article 58 shall be unladen from a vessel which arrives directly or indirectly from any port or place outside the Customs territory of the United States and no cargo, baggage, or other article shall be laden 59 on a vessel destined to a port or place outside the Customs territory of the United States, if Customs supervision of such unlading 60 or lading 61 is required, until the district director of Customs shall have issued, on Customs Form 3171, a permit (for lading and unlading during official hours) or a special license (for lading or unlading at night or on a Sunday or holiday when overtime services of a Customs officer is required).

(b) Application for a permit or special license shall be made by the master, owner, or agent of the vessel on Customs Form 3171, and shall specifically indicate the type of service desired at that time, unless a term permit or term special license has been issued. Arrangements, in the case of a term permit or term special license, shall be made locally so that the proper Customs officer will be notified during official hours in advance of the rendering of the services as to the nature of the services desired and the exact times they will be needed. An agent of a vessel may limit his application to operations involved in the entry and unlading of the vessel or to operations involved in its lading and clearance. Such limitation shall be specifically noted on the application.

(c) The request for a permit or a special license shall not be approved (previously issued term permits or special licenses shall be revoked) unless the carrier complies with the provisions of paragraphs (l) and (m) of this section regarding terminal facilities and employee lists, and the required cash deposit or bond, 2 on Customs Form 7567 or 7569, has been received. When a carrier has on file a bond on Customs Form 3587, no further bond shall be required solely by reason of the unlading or lading at night or on a Sunday or holiday of merchandise or baggage covered by bonded transportation entries. Separate bonds shall be required if overtime services are requested by different principals.

(f) The district director may issue a term permit on Customs Form 3171 for any period up to 1 year, but not longer than the period of the supporting bond, to unlade merchandise, passengers, or baggage, or

to lade merchandise or baggage during official hours.

(g) The district director may issue a term special license on Customs Form 3171 for any period up to 1 year, but not longer than the period of the supporting bond, to unlade merchandise, passengers, or baggage, or to lade merchandise or baggage at night or on a Sunday or holiday when Customs supervision is required. (See § 24.16 of this

chapter regarding pleasure vessels.)

(h) A special license for the unlading or lading of a vessel at night or on a Sunday or holiday shall be refused by the district director if the character of the merchandise or the conditions or facilities at the place of unlading or lading render the issuance of such special license dangerous to the revenue. In no case shall a special license for unlading or lading at night or on a Sunday or holiday be granted except on the ground of commercial necessity.

(i) The district director shall not issue a permit or special license to unlade cargo or equipment of vessels arriving directly or indirectly from any port or place outside the United States, except on compliance

with one or more of the following conditions:

(1) The merchandise shall have been duly entered and permits issued; or

(2) A vessel bond, on Customs Form 7567 or 7569, or cash deposit shall have been given; or

(3) The merchandise is to be discharged into the custody of the district director as provided for in section 490(b), Tariff Act of 1930.63

(Secs. 448, 450, 451, 46 Stat. 714, as amended, 715, as amended; 19 U.S.C. 1448, 1450, 1451)

### PART 6-AIR COMMERCE REGULATIONS

Section 6.2 (e) and (f) are amended to read as follows:

# § 6.2 Landing requirements.

(e) Permits to unlade and lade. A permit on Customs Form 3171 running for any period up to 1 year, but not longer than the period of the supporting bond may be issued to any and all aircraft to unlade passengers or merchandise, including baggage, or to lade merchandise or baggage during official hours. Except when a term permit has been issued and arrangements are made locally so that the proper Customs officer will be notified during official hours in advance of the rendering of the services as to the specific nature of the services desired and the exact times they will be needed, a separate application for a permit

shall be filed in the case of each arrival or departure. The permit shall not be issued (previously issued term permits shall be revoked) unless the carrier complies with the provisions of § 4.30 of this chapter regarding terminal facilities and employee lists, and the required cash deposit or bond, on Customs Form 7567 or 7569, has been received.

(f) Special licenses to unlade and lade. A special license on Customs Form 3171 running for any period up to 1 year, but not longer than the period of the supporting bond, may be similarly issued to any and all aircraft to unlade passengers or merchandise, including baggage, or to lade merchandise or baggage from such aircraft at night or on a Sunday or holiday when Customs supervision is required. A previously issued term special license shall be revoked unless the carrier complies with the provisions of § 4.30 of this chapter regarding terminal facilities and employee lists, and the required cash deposit or bond, on Customs Form 7567 or 7569, has been received. (See § 24.16(c) of this chapter as to private aircraft.) Separate bonds shall be required if overtime services are requested by different principals,

(Secs. 448, 450, 451, 644, 46 Stat. 714, as amended, 715, as amended, 761; 19 U.S.C. 1448, 1450, 1451, 1644)

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

Effective date: These amendments shall be effective 30 days following the date of their publication in the Federal Register.

(253)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved June 30, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register July 15, 1972 (37 F.R. 13975)]

### (T.D. 72-190)

Foreign currencies—Daily rates for countries not on quarterly list

Rates exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 5, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 322(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and

use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(20 02 20 .			
Denmark krone:			
June 26, 1972		\$0. 1410	
June 27, 1972			
June 28, 1972		.1438	
June 29, 1972		.1438	
June 30, 1972		. 14395	
Hong Kong dollar:	Official	Free	
June 5, 1972		\$0.179694*	
June 6, 1972		. 179694*	
June 7, 1972	. 1800	. 179613*	
June 8, 1972		. 179613*	
June 9, 1972	. 1800	. 179492*	
Iran rial:			
June 19, 1972		\$0.0131	
June 20, 1972		0131	
June 21, 1972			
June 22, 1972			
June 23, 1972			
Philippine peso:			
For the period June 1 of \$0.1465.			
June 23, 1972	Tempor	arily suspended	
Thailand baht (tical):			
For the period June 1 of \$0.0482.	9 through Jun	ne 22, 1972, rate	
June 23, 1972	Tempor	arily suspended	
(342.211)	4		
		EDWIN F. RAINS.	

Edwin F. Rains, Acting Commissioner of Customs.

# (T.D. 72-191)

# Foreign currencies—Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal
Reserve Bank of New York for the United Kingdom pound

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 5, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the

<sup>\*</sup>Certified as nominal rates.

following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72–101 for the United Kingdom pound. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

United Kingdon	n pound:
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June 28, 1972	\$2.4850
June 29, 1972	2.4635
June 30, 1972	2.4410
(342.211)	

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register July 15, 1972 (37 F.R. 14004)]

(T.D. 72-192)

### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., July 10, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
American Transfer Co., Inc., 1112 Race St., Baltimore, Md., motor carrier; The Aetna Casualty & Surety Co. D 7/30/72	July 30, 1971	Aug. 4, 1971	Baltimore, Md.; \$25,000
Beacon Fast Freight Co., Inc., 53 Bay State Rd., Boston, Mass., motor carrier; Peerless Ins. Co. (PB 3/27/68) D 5/11/72 1	May 11,1972	May 11, 1972	New York Sea- port; \$50,000
Bestway Express, P.O.B. 77, Columbia, S.C., motor carrier; Fidelity & Deposit Co. of Md.	May 29, 1972	June 29, 1972	Charleston, S.C.; \$25,000
See footnotes at end of table,			

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Dundee Truck Line, Inc., 6006 Stickney Ave., Toledo, Ohio, motor carrier; Agricultural Ins. Co. (PB 1/30/69) D 6/14/72 <sup>2</sup>	May 31, 1972	June 14,1972	Cleveland, Ohio; \$35,000
Farrell Lines, Inc., 1 Whitehall St., New York, N.Y., water carrier; Insurance Co. of North America (PB 6/2/67) D 6/1/72 3	June 1,1972	June 1,1972	New York Sea- port; \$50,000
Gilbert Carrier Corp., 1 Gilbert Dr., Secaucus, N.J., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 6/22/66) D 6/22/72 4	June 22, 1972	June 22, 1972	New York Sea- port; \$25,000
Coy Harris & Son, 312 E. 2nd St., Weatherford, Tex., motor carrier; Peerless Ins. Co.	May 22, 1972	June 15, 1972	Laredo, Tex.; \$25,000
McLeod Trucking, Inc., 585 Depaoli, Reno, Nev., motor carrier; Mid-Century Ins. Co.	April 11, 1972	April 20, 1972	San Francisco, Calif.; \$25,000
Modern Motor Express, Inc., 6006 Stickney Ave., Toledo, Ohio, motor carrier; Agricultural Ins. Co. (PB 3/12/69) D 6/14/72 5	May 31, 1972	June 14, 1972	Cleveland, Ohio; \$35,000
David Mohilef, 629 S. June St., Los Angeles, Calif., motor carrier; St. Paul Fire & Marine Ins. Co.	April 24, 1972	June 15, 1972	Los Angeles, Calif.; \$25,000
Patton's Inc., 2300 Canyon Rd., Ellensburg, Wash., motor carrier; General Ins. Co. of America (PB 7/19/71) D 6/11/72 6	June 1, 1972	June 12, 1972	Seattle, Wash.; \$25,000
Ploof Transfer Co., Inc., P.O.B. 47, Jacksonville, Fla., motor carrier: U.S. Fidelity & Guaranty Co.	Feb. 15, 1972	June 21, 1972	Tampa, Fla.; \$25.000
Public Freight Systems, 1400 E. 4th St., Los Angelss, Calif., motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 5, 1972	June 14, 1972	Los Angeles, Calif.; \$25,000
Red Ball Motor Freight, Inc., 3177 Irving Blvd., Dallas, Tex., motor carrier; U.S. Fidelity & Guar- anty Co. (PB 1/20/68) D 7/1/72 7	July 1, 1972	July 1, 1972	Houston, Tex.; \$25,000
Skyline Air Freight, Inc., 147-05 New York Blvd., Jamaica, N.Y., air carrier; The Travelers Indem- nity Co.	May 26, 1972	June 12, 1972	J. F. Kennedy Airport; \$50,000
Withers Van Lines of Miami, Inc., 1000 N. E. 1st Ave., Miami, Fla., motor carrier; Fidelity & Deposit Co. of Md. D 5/26/2	May 26, 1969	June 9,1969	Miami, Fla.; \$25,000
James E. Young, 1102 Vivienne St., Weatherford, Tex., motor carrier; The Travelers Indemnity Co.	Dec. 1, 1971	May 26, 1972	Laredo, Tex.; \$25,000

<sup>1</sup> Surety is Ha lover Ins. Co.

(241.2)

Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is Continental Casualty Co.

<sup>&</sup>lt;sup>3</sup> Surety is St. Paul Fire & Marine Ins. Co.

Surety is American Casualty Co. of Reading, Pa.

Surety is Continental Casualty Co.

Surety is Mid-Century Ins. Co.

<sup>7</sup> Surety is The Aetna Casualty & Surety Co.

### (T.D. 72-193)

Customhouse brokers—Limitation of liability to importers
Part 111, Customs Regulations, amended by adding new section 111.44

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 111-CUSTOMHOUSE BROKERS

On March 22, 1972, a notice of proposed rule making was published in the Federal Register (37 F.R. 5820) to explicitly prohibit custom-house brokers from entering into or relying upon contractual language which purports to limit their potential liability to their clients for claims arising out of the brokers' wrongful or negligent action.

All data, views or arguments received in response to the notice have been duly considered, and the proposed amendment, with technical changes, is hereby adopted as follows:

Part 111 is amended by adding a new section 111.44 as follows:

# 111.44 Limitation of liability

A broker may not limit his liability to a client with respect to a claim by the client arising out of the wrongful or negligent action of the broker in connection with a matter handled by him as a broker. Further, no broker shall enter into a contract which purports to so limit his liability.

(Sec. 641, 46 Stat. 759, as amended; 19 U.S.C. 1641)

Effective date: This amendment shall become effective 30 days after the date of its publication in the Federal Register.

(327.6)

EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved July 10, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register July 15, 1972 (37 F.R. 13976)]

### (T.D. 72-194)

Foreign currencies—Quarterly list of rates of exchange

Lists of buying rates in U.S. dollars certified to the Secretary of the Treasury
by the Federal Reserve Bank of New York for use during the quarter shown

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 5, 1972.

The appended table lists the buying rates in U.S. dollars for certain foreign currencies first certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), for a day in the quarter shown. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(343.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

List of values of foreign currencies certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under provisions of section 522(c), Tariff Act of 1930, as amended

### QUARTER BEGINNING JULY 1 THROUGH SEPTEMBER 30, 1972

Country	Name of Currency	U.S. Dollars
Australia	Dollar	\$1. 1910
Austria	Schilling	. 04365
Belgium	Franc	. 022820
Canada		
Ceylon		
Finland		
France	Franc	
France Germany	Deutche Mark	. 31745
India	Rupee	
Ireland		2. 4210
Italy		
Italy Japan	Yen	
Malaysia	Dollar	
Mexico	Peso	
Netherlands	Guilder	
New Zealand	Dollar	
Norway		
Portugal		
Republic of South Africa-	Rand	
Spain		. 015748
Sweden		
Switzerland	Franc	. 2668
United Kingdom		

## (T.D. 72-195)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 12, 1972.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Denmark krone:	
July 3, 1972	\$0. 1435
July 4, 1972	
July 5, 1972	
July 6, 1972	
July 7, 1972	
Hong Kong dollar: Official	Free
June 12, 1972 \$0. 1800	Not available
June 13, 1972 1800	Not available
June 14, 1972 1800	Not available
June 15, 1972 1785	Not available
June 16, 1972 1785	Not available
Iran rial:	
For the period June 26 through	une 28, 1972, rate
June 29, 1972	\$0.0128
June 30, 1972	.0130
Philippine peso:	
For the period June 26 through	
June 29, 1972	\$0.1425

June 30, 1972\_\_\_\_\_

Thailand baht (tical):

For the period June 26 through June 28, 1972, rate temporarily suspended.

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T. D. 72-196)

Synopses of Drawback decisions

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., July 3, 1972.

The following are synopses of drawback rates and amendments issued May 23 to June 26, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approval under section 22.6, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Electrical connection cables.—Manufactured under section 1313(b) by International Business Machines Corp., at its Owego, N.Y., factory, with the use of bulk cable, connectors, and housings.

Rate effective on articles manufactured on and after March 18, 1971, and exported on and after June 3, 1971.

Manufacturer's statement of April 21, 1972, forwarded to Regional Commissioner of Customs, New York, N. Y., June 14, 1972.

(B) Fiber materials, PVC (polyvinyl chloride) coated elastomeric.—Manufactured under section 1313 (b) by Georgia Bonded Fibers, Inc., Buena Vista, Va., with the use of polyvinyl chloride resin.

Rate effective on articles manufactured and exported on and after

September 5, 1969.

Manufacturer's statement of November 9, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., June 12, 1972.

(C) Flour, sweetened wheat soy blend.—Manufactured under section 1313 (b) by California Milling Corp., Los Angeles, Calif., with the use of hard refined sugar.

Rate effective on articles manufactured and exported on and after

October 13, 1971.

Manufacturer's statement of January 26, 1972, forwarded to Regional Commissioner of Customs, San Francisco, Calif., May 23, 1972.

(D) Fruit juices, fruit concentrate, and fruit base concentrate, canned or packaged.—T. D. 53559-C, as amended by T. D. 56495-F, covering the foregoing products manufactured under section 1313 (b) by Ventura Coastal Corp., Ventura, Calif., with the use of hard refined and/or liquid sugar, further amended to cover such products manufactured under section 1313 (b) with the use of frozen concentrated lemon juice.

Amendment effective on articles manufactured and exported on and

after October 15, 1971.

Supplemental statements of March 10 and April 18, 1972, forwarded to Regional Commissioners of Customs, San Francisco and Los Angeles, Calif., June 8, 1972.

(E) Grinding balls, grinding rods, reinforcing bars, and structural shapes.—Manufactured under section 1313 (b) by Pacific States Steel Corp., Union City, Calif., with the use of ferromanganese.

Rate effective on articles manufactured on and after January 1,

1967, and exported on and after January 18, 1971.

Manufacturer's statements of February 1, 1972, and May 3, 1972, forwarded to Regional Commissioner of Customs, San Francisco, Calif., June 1, 1972.

(F) Lime products (lime juice, essential lime oil, washed lime pulp, and citrus pectin) and sweetened citrus fruit juices.—T.D. 48247-K, as amended by T. D.'s 53721-D and 55898-C, covering lime products consisting of lime juice, essential lime oil, washed lime pulp, and citrus pectin manufactured by Mutual Citrus Products Co., Inc., Anaheim, Calif., under section 1313 (a), with the use of imported fresh limes; and covering, among other things, sweetened citrus fruit juices manufactured by the company under section 1313 (b) with the use of hard refined sugar, liquid sugar, or both, further amended to cover (1) the manufacture of the foregoing products by the company under the new name of MCP Foods, Inc; and (2) powdered lemon juice manufactured by the company under section 1313 (b) with the use of frozen concentrated lemon juice.

Amendment effective under (1) above, on articles exported on and after March 26, 1970, the date the name of the company was changed;

and under (2), above, on articles manufactured and exported on and after August 1, 1971.

Supplemental statement of September 9, 1971, forwarded to Regional Commissioner of Customers, Los Angeles, Calif., June 14, 1972.

(G) Omite (a wettable powder).—Manufactured under section 1313 (b) by Uniroyal, Inc., Middlebury, Conn., at its factory located at Naugatuck, Conn., with the use of propargl alcohol.

Rate effective on articles manufactured and exported on and after

May 12, 1971.

Manufacturer's statements of November 22, 1971, and May 25, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., June 23, 1972.

(H) Ovens, commercial.—Manufactured under section 1313 (b) by The G. S. Blodgett Co., Inc., Burlington, Vt., with the use of oven racks and oven rack supports.

Rate effective on ovens manufactured and exported on and after

February 17, 1971.

Manufacturer's statements of December 22, 1971, and March 29, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., May 26, 1972.

(I) Parts, steel specialty.—Manufactured under section 1313 (b) by Lyman Steel Co., Cleveland, Ohio, with the use of hot rolled alloy steel plates and bars.

Rate effective on articles manufactured on and after May 7, 1971.

and exported on and after June 4, 1971.

Manufacturer's statement of August 6, 1971, forwarded to Regional Commissioner of Customs, Chicago, Ill., May 23, 1972.

(J) Penicillin compounds, semi-synthetic.—T.D. 71-167-O, covering the foregoing articles manufactured under section 1313 (b) by Bristol Laboratories, Div. of Bristol-Myers Co., East Syracuse, N.Y., with the use of technical grade potassium penicillin G, crude, further amended to cover the described products manufactured under section 1313 (b) with the use of D-phenyl glycine acid chloride hydrochloride.

Amendment effective on articles manufactured on and after Janu-

ary 11, 1971, and exported on and after August 10, 1971.

Manufacturer's statements of May 15, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., June 14, 1972.

(K) Piece goods, bleached, dyed, or printed.—T. D. 49563-I, as amended by T. D.'s 50109-E and 52446-D, covering bleached or bleached and dyed piece goods manufactured under section 1313 (a) by Jersey Dyeing Co., Inc., Paterson, N.J., with the use of imported or drawback piece goods, further amended to cover bleached, dyed, or printed (or subjected to a combination of such processes) piece

goods manufactured under section 1313 (b) by the firm with the use of greige, dyed, or bleached piece goods.

Amendment effective on articles manufactured and exported on and

after March 16, 1967.

Supplemental statement of November 18, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., June 26, 1972.

(L) Piece goods, dyed.—T.D. 52215–E, covering dyed piece goods manufactured under section 1313(a) by North Bergen Piece Dye Works, Inc., North Bergen, N.J., with the use of imported or drawback piece goods in the grey or undyed state, amended to cover dyed piece goods manufactured under section 1313(b) with the use of greige piece goods.

Amendment effective on articles manufactured and exported on and

after February 14, 1967.

Supplemental statement of November 19, 1971, forwarded to Regional Commissioner of Customs, New York, N.Y., June 19, 1972.

(M) Plywood paneling, laminated lauan.—Manufactured under section 1313(a) by Pan American Gyro-Tex Co., Div. of Humboldt Flakeboard at its Franklin Park, Ill., factory, with the use of imported raw lauan plywood and under section 1313(b) with the use of raw lauan plywood.

Rate effective on articles manufactured and exported on and after

March 1, 1972.

Manufacturer's statements of February 7, 1972, and March 8, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., June 16, 1972.

(N) Trucks, tractors, truck-tractors, fire apparatus, buses, off-highway equipment, replacement assemblies or component parts (Mack products).—T.D. 50145–N, as amended and particularly as amended by T.D. 71–74–Y, covering, among other things, trucks, tractors, truck-tractors, fire apparatus, buses, and off-highway equipment manufactured under section 1313(b) by Mack Trucks, Inc., Allentown, Pa., at its factories located at Allentown, Pa.; Hagerstown, Md.; Somerville, N.J.; Cortland, N.Y.; and Hayward, Calif., with the use of diesel engines, connecting rods, injection pumps, and clutches, further amended to cover trucks, tractors, truck-tractors, fire apparatus, buses, off-highway equipment, replacement assemblies or component parts (Mack products) manufactured under section 1313(b) by the said company at its above factories with the use of unfinished automotive component parts (forgings/castings).

Amendment effective on articles manufactured on and after June 1,

1963, and exported on and after September 1, 1963.

Supplemental statement of October 27, 1971, forwarded to Regional Commissioner of Customs, Baltimore, Md., May 23, 1972.

(O) Wool matchings; scoured wool; combed wool; and spun yarn.—Manufactured under section 1313(b) by Lebanon Knitting Mill, Div. of Genesco, Inc., Pawtucket, R.I., with the use of grease wool through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured and exported on and after

October 26, 1971.

Manufacturer's statement of September 15, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., June 20, 1972.

(P) Wool, scoured; and sorted wool.—Manufactured under section 1313(b) by Forte Dupee Sawyer Co., Div. of Forte-Fairbairn, Inc., Boston, Mass., with the use of grease wool through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured and exported on and after

June 24, 1971.

Manufacturer's statement of September 15, 1971, forwarded to Regional Commissioner of Customs, Boston, Mass., May 26, 1972.

(Q) Wool, sorted; scoured wool; and, wool top.—Manufactured under section 1313(b) by J. P. Stevens & Co., Inc., Greenville, S.C., at its Allendale, S.C., factory, with the use of grease wool.

Rate effective on articles manufactured and exported on and after

December 13, 1971.

Manufacturer's statement of May 12, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., June 8, 1972.

(R) Wool tops.—Manufactured under section 1313 (b) with the use of grease wool by Hart, Inc., Boston, Mass., through its agents operating under rates of drawback established under section 1313 (b).

Rate effective on articles manufactured and exported on and after

February 1, 1972.

Manufacturer's statements of March 17, 1972, and June 5, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., June 12, 1972.

#### Approval under section 22.6, Customs Regulations

(1) Petroleum products.—T. D. 66-110(1), covering petroleum products manufactured under section 1313 (b) by Gulf Oil Corp., Pittsburgh, Pa., at its various refineries with the use of crude petroleum or petroleum derivatives, amended to cover such products manufactured at its Alliance Refinery located south of Belle Chase, La., Route 23.

Amendment effective on articles manufactured and exported on and after January 1, 1972.

Supplemental statement forwarded to Regional Commissioner of Customs, Baltimore, Md., June 2, 1972.

## (T.D. 72-197)

Customs Field Organization—Listing of Albuquerque, New Mexico, as a Customs station

Section 1.3 (d), Customs Regulations, listing Customs stations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

## TITLE 19-CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

#### PART 1-GENERAL PROVISIONS

Albuquerque, New Mexico, was designated a Customs station by the Commissioner of Customs, effective October 1, 1971. The station is under the supervision of the Port of El Paso, Texas, which is in the El Paso Customs district (Customs Region VI).

To reflect this designation, the table in section 1.3(d) of the Customs Regulations is amended by adding the words "Albuquerque, New Mexico" in the column headed "Customs stations" and on the same line "El Paso, Texas" in the column headed "Port of entry having supervision" in the El Paso, Texas district.

(80 Stat. 379, sec. 1, 37 Stat. 434; 5 U.S.C. 301, 19 U.S.C. 1)

Because this amendment involves the listing of a Customs station already designated, good cause exists for finding that the notice and public procedure required under the provisions of 5 U.S.C. 553(b) is unnecessary, and for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553(d).

Effective date. This amendment shall be effective upon publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved July 12, 1972:

A. ATLEY PETERSON.

Acting Assistant Secretary of the Treasury.

[Published in the Federal Register July 21, 1972 (37 F.R. 14567)]

## (T.D. 72-198)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., July 18, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Denmark krone:		
July 10, 1972		\$0.1437
July 11, 1972		
July 12, 1972		.14375
July 13, 1972		
July 14, 1972		. 1441
Hong Kong dollar: Official		Free
June 19, 1972 \$0. 1785	Not	available
June 20, 1972 1800	77	29
June 21, 1972 1800	77	27
June 22, 1972 1775	77	77
June 23, 1972 Temporarily suspe	ended	
Iran rial:		
July 3, 1972		\$0.0130
July 4, 1972		
July 5, 1972		
July 6, 1972		
July 7, 1972		. 0131
Philippine peso:		
July 3, 1972		\$0.1475
July 4, 1972		
July 5, 1972		
July 6, 1972		
July 7, 1972		

### Thailand baht (tical):

manana bane (cicar).	
July 3, 1972	\$0.0478
July 4, 1972	Holiday
July 5, 1972	. 0478
July 6, 1972	. 0479
July 7, 1972	. 0479
349.911)	

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-199)

Synopses of Drawback decisions

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., July 17, 1972.

The following are synopses of drawback rates and amendments issued June 28 to July 7, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Aluminum foil, etched and/or anodized.—T.D. 56215-B, covering etched aluminum foil manufactured by Wellington Electronics, Inc., Englewood, N.J., under section 1313(b) with the use of aluminum foil, amended to cover (1) etched and anodized aluminum foil manufactured under section 1313(b) by the company at its Englewood, N.J., and Bowling Green, Ky., factories, with the use of aluminum foil; (2) anodized aluminum foil manufactured under section 1313(a) by the company at the said factories with the use of imported aluminum foil; and (3) all of the foregoing products manufactured at the said factories by Wellington Films and Foils, Inc., Englewood, N.J., successor.

Amendment effective on articles covered by (1) and (2), above, which are manufactured and exported on and after January 1, 1968, and on articles covered by (3), above, which are exported on and after April 25, 1969, the date of succession.

Supplemental statement of November 30, 1970, forwarded to Regional Commissioner of Customs, New York, N.Y., July 7, 1972.

(B) Aluminum sheets and strips, cold rolled and slitted; cold rolled, annealed, and slitted steel sheets and strips; cold rolled and slitted aluminum, steel, titanium (commercially pure or alloy) and high temperature metal (special metal) coil sheet and strip; scouring pads (steel); and, heat treating tool wrap (steel).—T.D. 56436-C, covering cold rolled and slitted aluminum sheets and strips manufactured under section 1313(a) by Rodney Metals, Inc., New York, N.Y., at its New Bedford, Mass., factory, with the use of drawback aluminum sheets and coils, and T.D. 56436-K, covering cold rolled, annealed, and slitted steel sheets and strips manufactured under section 1313(a) by the said company at its above factory with the use of imported steel sheets and strips, amended to cover (1) such articles manufactured under section 1313(a) by Teledyne, Inc. Rodney Metals Div., Los Angeles, Calif., successor, at its New Bedford, Mass., factory, (2) cold rolled and slitted aluminum, steel, titanium (commercially pure or alloy) and high temperature metal (special metal) coil sheet and strip; scouring pads (steel); and, heat treating tool wrap (steel) manufactured under section 1313(a) by the said successor company at its above factory with the use of imported or drawback aluminum, steel, titanium (commercially pure or alloy), and high temperature (nickel, cobalt and iron base) coil sheet, and (3) cold rolled and slitted aluminum, steel, titanium (commercially pure or alloy) and high temperature metal (special metal) coil sheet and strip; scouring pads (steel) and heat treating tool wrap (steel) manufactured under section 1313(b) by the said successor company at its above factory with the use of coil sheet of stainless steel, carbon steel, aluminum, titanium, brass, and the special metals listed on pages 4, 5, 6, and 7 of the manufacturer's supplemental statement of December 30, 1971.

Amendment effective on articles manufactured and exported on and after February 13, 1968.

Supplemental statement of December 30, 1971, forwarded to Regional Commissioners of Customs, Boston, Mass., and New York, N.Y., July 7, 1972.

(C) Chemicals; photographic, lithographic and X-ray.—Manufactured under section 1313(b) by Metacomet Inc., Teterboro, N.J., at its Teterboro, N.J., and Glendale, Calif., factories, with the use of hydroquinone, potassium ferricyandide, and potassium metabisulfite.

Rate effective on Metamix X-ray Developer-Replenisher manufactured on and after November 30, 1970, and exported on and after December 23, 1970; on Gevalith T865 Developer manufactured on and after October 14, 1970, and exported on and after October 26, 1970; on Gevalith T865 Replenisher manufactured on and after October 17, 1970, and exported on and after October 26, 1970; and on Gevaert 6N1

Bleach & Replenisher manufactured on and after October 16, 1970, and exported on and after October 26, 1970.

Drawback statements of April 20, June 1, and June 23, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 7, 1972.

(D) Engine connecting rods and connecting rod caps.—Manufactured under section 1313(b) by Conklin Forging Co., Inc., at its Detroit, Mich., factory, with the use of hot rolled steel bars.

Rate effective on articles manufactured on and after January 1, 1972,

and exported on and after January 27, 1972.

Manufacturer's statement of April 19, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., July 7, 1972.

(E) Fasteners, aerospace.—Manufactured under section 1313(a) by Voi-Shan, Div. of VSI Corp. at its Culver City and Rodondo Beach, Calif., factories, with the use of imported or drawback titanium alloy bars and wire and stainless steel bars and wire and under section 1313(b) with the use of titanium alloy bars and wire and stainless steel bars and wire.

Rate effective on articles manufactured on and after November 15, 1971, and exported on and after November 26, 1971.

Manufacturer's statements of January 7, 1972, and June 7, 1972, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., June 29, 1972.

(F) Piece goods, dyed and finished.—Manufactured under section 1313(b) by Hillsborough Dyeing and Finishing Corp., New York, N.Y., at its Hillsborough, N.C., factory with the use of piece goods in the greige.

Rate effective on articles manufactured and exported on and after November 19, 1969.

Manufacturer's statements of January 27, 1972, and April 19, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., June 29, 1972.

(G) Power cranes, truck cranes, excavators, and electric shovels.—
T.D. 55316-C, as amended by T.D. 56239-T, covering, among other things, power cranes and shovels, manufactured under section 1313(b), by Harnischfeger Corp., Milwaukee, Wis., at its various factories, with the use of, among other things, steel billets and plates, further amended to cover power cranes, truck cranes, excavators, and electric shovels, manufactured under section 1313(a) by the company at its Milwaukee, Wis.; Cedar Rapids, Iowa; and Escanaba, Mich., factories, with the

use of imported diesel engines, winches, rotoversals, and electrotorque control systems.

Amendment effective on articles manufactured on and after Janu-

ary 15, 1969, and exported on and after February 9, 1969.

Manufacturer's statements dated September 27, 1971, January 24, 1972, and April 28, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., June 30, 1972.

(H) Wool, sorted and graded grease, and scoured wool.—Manufactured under section 1313(b) by Faribault Woolen Mill Co., Faribault, Minn., with the use of grease wool.

Rate effective on articles manufactured and exported on and after

March 3, 1972.

Manufacturer's statements of March 30, 1972, April 14, 1972, and June 2, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., June 28, 1972.

(I) Wool, sorted and scoured, and carbonized wool, and wool top.—Sorted and scoured wool manufactured with the use of grease wool, and carbonized wool and wool top manufactured with the use of scoured or grease wool by A. H. Helmig & Co., Inc., Narberth, Pa., through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured on and after March 15, 1972,

and exported on and after March 21, 1972.

Manufacturer's statements of March 31, 1972, and May 25, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., June 29, 1972.

## (T.D. 72-200)

# Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in the Federative Republic of Brazil

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 20, 1972.

There is published below the directive of June 29, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the visa requirement for cotton textiles and cotton textile products, in categories 1 through 64, manufactured or produced in the Federative Republic of Brazil.

This directive was published in the Federal Register on July 8,

1972 (37 F.R. 13498), by the Committee for the Implementation of Textile Agreements.
(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 29, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226 DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962. pursuant to paragraph 14 of the bilateral Cotton Textile Agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective on the date of publication of this letter in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in the Federative Republic of Brazil, for which that Government has not issued an appropriate Visa, fully described below, provided, however, that cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in the Federative Republic of Brazil and exported therefrom prior to the date of publication shall not be denied entry until sixty days after the date of publication.

The Visa will be a stamped marking on the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document, or on the commercial invoice when such form is used) and will bear the authorized signature of the official issuing the Visa. A facsimile of the stamp, along with the signatures of those officials authorized to issue Visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton textiles and cotton textile products produced or manufactured in the Federative Republic of Brazil and exported therefrom, notwithstanding the designated shipment or shipments do not meet the aforementioned Visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption

into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

Enclosures

LIST OF OFFICIALS AUTHORIZED TO ISSUE VISAS FOR PURPOSES OF
THE COTTON TEXTILES AGREEMENT BETWEEN
THE FEDERATIVE REPUBLIC OF BRAZIL AND THE UNITED STATES

Abel Marcelino do Rosário Aluysio Almeida Diniz Álvaro de Sá Andrade Alvaro Volpe Bacelar Amabilino Santin Vidor Antonio Pedro de Moraes Celso Mario Zipf Danilo Octávio de Toledo Dario Raphael Tobar Dario Silveira Soares Eduardo dos Santos Lobo **Eudes Izar** Fauzi Rahmé Francisco Magalhães Fued Farhat Geraldo de Souza Gilfredo Vieira Lessa Henrique Reis Bergan Honório Onofre de Abreu

Isaac Carneiro da Silva Jaire Perez de Vasconcellos Jarbas Cézar Loureiro Javan Ribeiro da Costa Jayme Lobo Ferreira Joffre Pereira José Arthur Boiteux José Maria Duprat Luiz Affonso de Queiroz Lacerda Mario Emilio Kreibich Mário Jofre Pinto de Freitas Nelson Duran Máscia Nelson Geraldo Avellar Onofre Marques da Silva Júnior Osvaldo Ladewig Roberto Varella Rolando Missfeldt Rufino Câncio Pires

TREASURY DEPARTMENT

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THIS FORM DOES NOT REQUIRE CERTIFICATION BY A UNITED STATES CONSULAR OFFICER

## SPECIAL CUSTOMS INVOICE

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CUSTOMS AT 5515

### (T.D. 72-201)

## Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textiles and cotton textile products manufactured or produced in Pakistan

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 20, 1972.

There is published below the directive of June 29, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Pakistan.

This directive was published in the Federal Register on July 4, 1972 (37 F.R. 13206), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 29, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of May 6, 1970, as amended, between the Governments of the United States and Pakistan, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective July 1, 1972 and for the twelve-month period extending through June 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9/10, 15/16, 18/19 and part of 26, 22/23, parts of 26, part of 31, and 41/42, produced or manufactured in Pakistan, in excess of the following designated levels of restraint:

Category	Twelve-Month Levels of Restraint
9/10	37,146,000 sq. yds.
15/16	3,097,000 sq. yds.
18/19 and part of 26 (print cloth)1	16,512,000 sq. yds.
22/23	4,128,000 sq. yds.
Part of 26 (bark cloth) <sup>2</sup>	6,189,000 sq. yds.
Part of 26 (duck) <sup>3</sup>	8,771,250 sq. yds.
Part of 31 (only T.S.U.S.A. No. 366.2740)	4,964,810 pieces
41/42	424,098 doz.

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in Pakistan and exported to the United States prior to July 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period July 1, 1971 through June 30, 1972. In the event that the levels of restraint established for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of May 6, 1970, as amended, between the Governments of the United States and Pakistan which provide in part that within the aggregate and applicable group limits of the agreement, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972, (37 F.R. 8802).

<sup>1</sup> In Category 2	26, only T.S.U.S.A. No	os. :		
32034	322,-34	327.—34	H 70 1 62	
32134	32634	328.—34		
2 Only T.S.U.S	.A. Nos. :			
320.—88	325.—88	330.—88	32392	328.—92
321.—88	326.—88	331.—88	32492	329.—92
32288	327.—88	320.—92	32592	330.—92
323.—88	328.—88	32192	326.—92	33192
32488	329.—88	322.—92	327.—92	
3 Only T.S.U.S	.A. Nos. :			
32001	through 04, 06, 08	32601	through 04,	06, 08
321.—01	through 04, 06, 08	32701	through 04,	06, 08
32201	through 04, 06, 08	32801	through 04,	06, 08

In carrying out the above directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textiles and cotton textile products from Pakistan have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-202)

Cotton textiles-Restriction on entry

Restriction on certain categories of cotton textiles manufactured or produced in Colombia

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 20, 1972.

There is published below the directive of June 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles in certain categories manufactured or produced in Colombia.

This directive was published in the Federal Register on July 1, 1972 (37 F.R. 13123), by the Committee for the Implementation of Textile Agreements.

(343.3)

Edwin F. Rains, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

## DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of June 25, 1971, between the Governments of the United States and Colombia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective July 1, 1972 and for the twelve-month period extending through June 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 27 produced or manufactured in Colombia, in excess of the levels of restraint set forth below.

The combined level of restraint for Categories 1 through 4 shall be 4,040,217 pounds.

The combined level of restraint for Categories 5 through 27 shall be 22,365,000 square yards.

Within the overall level of restraint for Categories 5 through 27, the following specific levels of restraint shall apply:

Category	Twelve-Month Levels of Restraint
5	1,823,259 sq. yds.
6	364, 652 sq. yds.
9/10	4,765,163 sq. yds.
16	1,093,956 sq. yds.
19	1, 215, 506 sq. yds.
22/23	7,980,000 sq. yds.
26 (excluding duck fabric) <sup>1</sup>	3, 840, 375 sq. yds.
26 (duck fabric only) 2	607, 753 sq. yds.
27	694, 260 sq. yds.

<sup>1</sup> Excluding T.S.U.S.A. Nos. :

<sup>320.—01</sup> through 04, 06, 08 326.—01 through 04, 06, 08

<sup>321.—01</sup> through 04, 06, 08 327.—01 through 04, 06, 08 322.—01 through 04, 06, 08 328.—01 through 04, 06, 08 288.—01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in Colombia, which have been exported to the United States prior to July 1, 1972, shall, to the extent of any unfilled balances be charged against the levels of restraint established for such goods for the twelvemonth period beginning July 1, 1971, and extending through June 30, 1972. In the event that the levels of restraint established for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of June 25, 1971, between the Governments of the United States and Colombia which provide in part that within the aggregate and applicable group limits. limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral

agreement referred to above will be made to you by letter.

The bilateral agreement of June 25, 1971, also provides an overall limit on Categories 28 through 64. Import controls on these Categories at an overall level of 1,050,000 square yards equivalent may be established during the current agreement year. In such an event, you will be advised in a further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37

F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Colombia and with respect to imports of cotton textiles and cotton textile products from Colombia have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely.

STANLEY NEHMER, Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

## (T.D. 72-203)

## Drawback-Customs Regulations amended

Customs Regulations pertaining to foreign-built aircraft engines processed in the United States with imported merchandise

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

#### PART 22-DRAWBACK

On May 19, 1971, notice of proposed rule making to amend the Customs Regulations pertaining to foreign-built jet aircraft engines processed in the United States with imported merchandise was published in the Federal Register (36 F.R. 9071). Interested persons were given 30 days in which to submit written comments, suggestions or objections regarding the proposed amendment. Representations submitted pursuant to the notice have been carefully considered.

The proposed amendment is hereby adopted without change as set forth below:

#### PART 22-DRAWBACK

Part 22 is amended to add a new centerhead and section to read:

FOREIGN-BUILT JET AIRCRAFT ENGINES PROCESSED IN THE UNITED STATES

22.26a Drawback allowance.—(a) Upon the exportation of jet aircraft engines manufactured or produced abroad that have been overhauled, repaired, rebuilt, or reconditioned in the United States with the use of imported merchandise, including parts, there shall be refunded, upon satisfactory proof that such imported merchandise has been so used, the duties which have been paid thereon, in amounts not less than \$100.11a

(b) Drawback entries shall be filed on Customs Form 7575-A appropriately modified to show that the entry covers jet aircraft engines processed under section 1313(h), Tariff Act of 1930, as amended. The entry shall show the country in which each engine was manufactured and describe the processing performed thereon in the United States.

that have been overhauled, repaired, rebuilt, or reconditioned in the United States with the use of imported merchandise, including parts, there shall be refunded, upon satisfactory proof that such imported merchandise has been so used, the duties which have been paid thereon, in amounts not less than \$100."

<sup>(</sup>Subsection (h), section 313, Tariff Act of 1930, as amended (19 U.S.C. 1313(h)).

(c) Drawback of duties found due shall be refunded in aggregate amounts of not less than \$100 in accordance with the regulations in this part covering manufactured articles except that there shall be no deduction of 1 percent from the amount of the duties paid.

(Secs. 313, 624, 46 Stat. 693, as amended, 759; 19 U.S.C. 1313, 1624)

Since this amendment provides procedures for the claiming of drawback allowed under section 313, Tariff Act of 1930, as amended (19 U.S.C. 1313), as further amended by section 3(a) of Public Law 91–692, approved January 12, 1971, it is desirable to make the amendment effective immediately. Therefore, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d).

Effective date. This amendment shall become effective on publication in the Federal Register.

(014.1)

EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved July 18, 1972:

MATTHEW J. MARKS,

Acting Assistant Secretary of the Treasury.

[Published in the Federal Register July 27, 1972 (37 F.R. 14993)]

## (T.D. 72-204)

## Drawback—Substitution—Wool

Basis for determining what wools are of the "same kind and quality" under section 313 (b), Tariff Act of 1930, as amended. Procedures applicable

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 24, 1972.

T.D. 55038 (25 F.R. 916) sets forth, among other things, eight categories of wool (based on grades of wool) within each of which category imported and domestic wools may be substituted as being merchandise of the same kind and quality within the meaning of section 313(b), Tariff Act of 1930, as amended.

Effective immediately the said system of eight categories is hereby revoked, and the following system of six categories of wool, within each of which imported and domestic wools may be substituted (on the basis of clean content), as being merchandise of the same kind and quality within the meaning of section 313(b), is established in lieu thereof:

(a) Imported wools named in the inferior heading to items 306.10-306.14, Tariff Schedules of the United States, in the grease

or washed, and similar imported and domestic wools without merino or English blood, in the grease or washed.

- (b) Imported and domestic wools, in the grease or washed, not finer than 40s, which are not covered by the preceding paragraph.
  - (c) Imported and domestic 44s wool in the grease or washed.
- (d) Imported and domestic wools in the grease or washed, finer than 44s but not finer than 48s.
- (e) Imported and domestic wools in the grease or washed, finer than 48s but not finer than 58s.
- (f) Imported and domestic wools in the grease or washed, finer than 58s.

T.D. 55038 is modified accordingly.

This decision applies to articles exported on and after the date of the decision and to articles exported prior to the date of the decision, provided that drawback claims on such previously exported articles have not been liquidated.

(731.14)

LEONARD LEHMAN, Acting Commissioner of Customs.

[Published in the Federal Register July 28, 1972 (37 F.R. 15178)]

## (T.D. 72-205)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., July 25, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

#### Denmark krone:

-	TATES TE	*** ***		
	July	17,	1972	\$0.1440
	July	18,	1972	.143925
	July	19,	1972	. 1439
	July	20,	1972	. 14355
	July	21,	1972	. 1437

Hong Kong dollar: Official	F	ree
June 26, 1972 Temporarily suspended	Not Ava	ailable
June 27, 1972_ "	46	66
June 28, 1972_ " "	"	66
June 29, 1972\$0. 1725	66	66
June 30, 19721725	"	66
Iran rial:		
July 10, 1972	\$0.0128	
July 11, 1972	0129	
July 12, 1972		
July 13, 1972		
July 14, 1972		
Philippine peso:		
For the period July 10 through July 14, of \$0.1465.	1972, rate	
Thailand baht (tical):		
July 10, 1972	_ \$0.0478	
July 11, 1972		
July 12, 1972		
July 13, 1972		
July 14, 1972		
(342.211)		
,	TI D	

EDWIN F. RAINS, Acting Commissioner of Customs.

## (T.D. 72-206)

## Antidumping—Cadmium from Japan

The Secretary of the Treasury makes public a finding of dumping with respect to cadmium from Japan. Section 153.43, Customs Regulations, amended

Department of the Treasury, Washington, D.C., July 27, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that cadmium from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of March 24, 1972 (37 F.R. 6121, F.R. Doc. 72–4628).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on June 23, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of cadmium from Japan sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of June 29, 1972 (37 F.R. 12875, F.R. Doc. 72–9881).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with

respect to cadmium from Japan.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.
Cadmium Japan 72–206

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register August 4, 1972 (37 F.R. 15700)]

(T.D. 72-207)

American manufacturer's petition

Tariff classification of form bond paper

DEFARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

On the basis of a petition filed by an American manufacturer under section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516), it has been determined that the classification of certain form and computer bond paper in item 252.67, Tariff Schedules of the United States, as book paper and printing paper, not specially provided for, is not correct.

The paper in question is made from 100 percent chemical wood pulp and weighs over 18 pounds per ream (432,000 square inches) on a 24 by 36 inches 500 sheet basis. It is not impregnated, coated, surface-colored, embossed, ruled, lined, printed or decorated. It is generally put up in rolls 34 inches in width, or less, with most rolls in the smaller range. The ash content is generally under 10 percent and this paper has good writing quality, that is, ability to take pen and ink without feathering, and good erasure characteristics.

The chief use of this paper in the United States has been determined to be as writing paper for conversion into computer output forms and business forms for the recordation of data by pen, pencil, typewriter or similar device as a means of communication by one or a limited number of copies to one or a limited number of receivers. Generally, the only printing done in the conversion processes is lines, spaces, column headings, and incidental text. This paper is commercially designated as a writing paper by the paper industry within the United States.

The petitioner has been notified that the form bond paper in question is writing paper weighing over 18 pounds per ream within the meaning of the provision of item 252.75, Tariff Schedules of the United States, and is properly classifiable as writing paper under that item number. This ruling will result in a higher rate of duty for this merchandise than would be assessed under item 252.67.

In accordance with section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516), all merchandise of this kind entered, or withdrawn from warehouse, for consumption more than 30 days after publication of this notice in the weekly Customs Bulletin shall be classified in accordance with this determination.

(483.23)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved July 24, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register August 4, 1972 (37 F.R. 15742)]

(T.D. 72-208)

Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in Pakistan

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., July 31, 1972.

There is published below the directive of June 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products, in categories 1 through 64, manufactured or produced in Pakistan. This directive was published in the Federal Register on July 7, 1972 (37 F.R. 13365), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

June 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 12 of the bilateral Cotton Textile Agreement of May 6, 1970, between the Governments of the United States and Pakistan, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective on July 15, 1972, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64 produced or manufactured in Pakistan, for which the Government of Pakistan has not issued an appropriate Visa, fully described below, provided however, that cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Pakistan and exported therefrom prior to July 15, 1972, shall not be denied entry until ninety days after that date.

The Visa will be a stamped marking on the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document, or on the commercial invoice when such form is used) and will bear the authorized signature of the official issuing the Visa. A facsimile of the stamp, along with the signature of those officials authorized to issue Visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton textiles and cotton textile products produced or manufactured in Pakistan and exported to the United States from Pakistan, notwithstanding the designated shipment or shipments do not meet the aforementioned Visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R.

8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textiles and cotton textile products from Pakistan have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

Enclosures

Seal to be in blue ink.



## (T.D. 72-209)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., July 31, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4.).

Denmark krone:		
July 24, 1972		\$0.1436
July 25, 1972		.1435
July 26, 1972		.1436
July 27, 1972		.1436
July 28, 1972		
Hong Kong dollar:		Free
June 12, 1972	*	\$0.179452**
June 13, 1972	*	.179211**
June 14, 1972	sje	.179051**
June 16, 1972	*	No rate
June 16, 1972	*	.178571**
June 19, 1972	*	.178332**
June 20, 1972	*	.178094**
June 21, 1972	*	.177619**
June 22, 1972	*	.176522**
June 23, 1972	*	.176522**
Iran rial:		
July 17, 1972		\$0.0130
July 18, 1972		
July 19, 1972		
July 20, 1972		
July 21, 1972		
Philippine peso:		
July 17, 1972		\$0.1470
July 18, 1972		.1465
July 19, 1972		
July 20, 1972		
July 21, 1972		.1465

<sup>\*</sup>Previously certified by TDs 72-195 and 72-198.

<sup>\*\*</sup>Certified as nominal rate.

Thailand baht (tical):

July 17,	1972	0.0478
July 18,	1972	.0478
July 19,	1972	.0477
July 20,	1972	.0477
July 21,	1972	.0478

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-210)

#### Bonds.

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 4, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Common Container Agency Ltd. (N.Y. Corp.), 61 Broadway, New York, N.Y.; Peerless Ins. Co. (PB 3/27/72) D 6/30/72	June 30, 1972	June 30, 1972	New York Sea- port; \$50,000
H & B Beer Sales Inc., 3060 Copper Rd., Santa Clara, Calif.; Reliance Ins. Co. D 7/23/72	July 24, 1970	July 29, 1970	San Francisco, Calif.; \$10,000
Kaiser Aluminum & Chemical Corp. and its wholly- owned substidiaries Kaiser Aluminum & Chemical Sales, Inc., Kaiser Aluminum International, Inc., and Kaiser Aluminum International Corp., 300 Lakeside Dr., Oakland, Calif.; Insurance Co. of North America (PB 6/6/99) D 7/24/72 1	Apr. 27, 1972	July 24, 1972	San Francisco, Calif.; \$50,000

See footnotes at end of table,

Name of principal and surety		Date of bond		ate of proval	Filed with district director/area direc- tor; amount
Korea Shipping Corp. Ltd. (Korea Corp.), 21 W. St., New York, N.Y.; St. Paul Fire & Marine Ins. Co. D 6/30/72	July	30, 1970	Aug.	13, 1970	New York Sea- port; \$10,000
LeBianc-Parr, Inc., Galveston, Tex.; Maryland Cas- ualty Co. D 5/29/72	May	29, 1968	May	29, 1968	New Orleans, La.; \$10,000
Nova Scotia Forest Industries Ltd. (Nova Scotia Corp.), Port Hawkesbury, Nova Scotia, Canada; Peerless Ins. Co.	July	13, 1972	July	14, 1972	New York Sea- port; \$10,000
Orient Maritime Agencies, 311 California St., San Francisco, Calif.; Reliance Ins. Co. D 8/1/72	July	5, 1968	July	5, 1968	San Francisco, Calif.; \$10,000
Ratcliffs (Great Bridge) Ltd., A Corp. under the laws of Great Britain & its wholly owned affiliate: Rat- cliffs (Canada) Ltd. doing business under the laws of Canada, Tipton, Staffs, England; Federal Ins. Co.	June	20, 1972	June	21, 1972	New York Sea- port; \$10,000

<sup>&</sup>lt;sup>1</sup> Principal is Kaiser Aluminum & Chemical Sales, Inc. (Calif. Corp.); Kaiser Aluminum International, Inc. (Del. Corp.); Kaiser Aluminum International Corp. (Calif. Corp.)

(542.113)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-211)

Enforcement of Customs and navigation laws; inspection, search and seizure—Customs Regulations revised

Part 23, Customs Regulations deleted; Parts 1, 4, 8, and 123 amended; Parts 161 and 162 added

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

PART 23-ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

PART 123-CUSTOMS RELATIONS WITH CANADA AND MEXICO

PART 161-GENERAL ENFORCEMENT PROVISIONS

PART 162-INSPECTION, SEARCH, AND SEIZURE

On February 26, 1972, notice of proposed rule making regarding regulations pertaining to enforcement of Customs and navigation laws and inspection, search, and seizure along with miscellaneous amendments to Chapter I of title 19 of the Code of Federal Regulations was published in the Federal Register (37 F.R. 4084). Interested persons were given 60 days to submit written comments, suggestions, or objections regarding the proposed regulations. No comments were received.

The proposed new Parts 161 and 162, and the miscellaneous amendments to Chapter I of title 19 of the Code of Federal Regulations are hereby adopted as set forth below.

As part of the revision there is included a parallel reference table showing the relationship between the newly adopted sections and

those which they supersede in 19 CFR Part 23.

Effective date. This revision and the conforming amendments shall become effective 30 days after the date of publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved August 3, 1972:
EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register August 15, 1972 (37 F.R. 16486)]

#### PART 1-GENERAL PROVISIONS

Part 1 is amended by adding § 1.9 to read as follows:

§ 1.9 Identification cards.—(a) Each Customs employee, other than an officer of the Customs Agency Service, who needs identification in the performance of his official duties shall be furnished an identification card on Customs Form 3135.

(b) The Commissioner will issue identification cards in appropriate cases to principal field officers. Each principal field officer shall be the

issuing officer for the employees under his jurisdiction.

(c) Special identification cards signed by the Commissioner, shall be issued to officers of the Customs Agency Service. All officers of the Customs Agency Service are authorized to carry weapons in the performance of their official duties, and specific authorization is therefore omitted from their identification cards.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

#### PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

§ 4.12 [Amended]—In § 4.12(a) (5), the first sentence is amended by substituting "162.31" for "23.23" and the second sentence is amended by substituting "162.43" for "23.12".

Part 4 is amended by adding § 4.66b to read as follows:

- § 4.66b Pollution of coastal and navigable waters.—(a) When any Customs officer has reason to believe that any refuse matter is being or has been deposited in navigable waters in violation of section 13 of the Act of March 3, 1899 (33 U.S.C. 407), or that oil is being or has been discharged into or upon the coastal navigable waters of the United States in violation of the Oil Pollution Act of 1924 (33 U.S.C. 431-437) he shall promptly furnish to the district director a full report of the incident, together with the names of the witnesses, and, when practicable, a sample of the material discharged from the vessel in question.
- (b) The district director shall forward this report immediately, without recommendation, to the District Engineer of the Department of the Army (at New York to the Supervisor of New York Harbor) for his decision as to prosecution and a copy of each such report shall be furnished to the bureau.
- (c) If the vessel involved is of American registry, a copy of the report shall be furnished also to the District Commander of the Coast Guard district concerned.

(Sec. 13, 30 Stat. 1152, sec. 7, 43 Stat. 605, as amended; 33 U.S.C. 407, 436)

Part 4 is amended by adding § 4.100 to read as follows:

- § 4.100 Licensing of vessels of less than 30 net tons.—(a) The application for a license to import merchandise in a vessel of less than 30 net tons in accordance with section 6, Anti-Smuggling Act of August 5, 1935, shall be addressed to the Secretary of the Treasury and delivered to the district director of the district in which are located the ports where foreign merchandise is to be imported in such vessel.
  - (b) The application shall contain the following information:
    - (1) Name of the vessel, rig, motive power, and home port
    - (2) Name and address of the owner.
    - (3) Name and address of the master.
    - (4) Net tonnage of the vessel.
    - (5) Kind of merchandise to be imported.

(6) Country or countries of exportation.

(7) Ports of the United States where the merchandise will be imported.

(8) Whether the vessel will be used to transport and import

merchandise from a hovering vessel.

(9) Kind of document under which the vessel is operating.

(c) If the district director finds that the applicant is a reputable person and that the revenue would not be jeopardized by the issuance of a license, he may issue the license for a period not to exceed 12 months, incorporating therein any special conditions he believes to be necessary or desirable, and deliver it to the licensee.

(d) The master or owner shall keep the license on board the vessel at all times and exhibit it upon demand of any duly authorized officer of the United States. This license is personal to the licensee and is not

transferable.

(e) The Secretary of the Treasury or the district director in whose office the license was issued may revoke the license if any of its terms have been willfully or intentionally violated or for any other cause which may be considered prejudicial to the revenue or otherwise against the interest of the United States.

(Sec. 6, 49 Stat. 519; 19 U.S.C. 1706)

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

§ 8.25 [Amended]—In § 8.25, the last sentence in paragraph (d) is amended by substituting "162.51" for "23.20".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 23-ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

Part 23 is amended by deleting all sections and footnotes appended thereto, except sections 23.4 and 23.5.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 123-CUSTOMS RELATIONS WITH CANADA AND MEXICO

§ 123.71 [Amended]—In § 123.71, the last sentence is amended by substituting "Subpart B of Part 162", for "§ 23.11".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

#### PART 161-GENERAL ENFORCEMENT PROVISIONS

Chapter I of Title 19 is amended by adding a new Part 161 to read as follows:

Sec.	
161.0	Scope
	SUBPART A-GENERAL PROVISIONS
161.1	Customs supervision.
161.2	Enforcement for other agencies.
161.3	Prosecution for violation of Customs laws.
161.4	Bribery of Customs officers and employees.
161.5	Compromise of Government claims.

161.11 Claim for compensation by informer.

161.12 Filing of claim.

#### SUBPART B-INFORMER'S COMPENSATION

161.13	Limitation on claims.
161.14	Payment of claims.
161.15	Informer's name confidential.
	TORITY: The provisions of this Part 161 issued under 80 Stat. 379, R.S. 251, and a sec. 624, 46 Stat. 759, 5 U.S.C. 301, 19 U.S.C. 66, 1624, Statutory pro-

AUTHORITY: The provisions of this Part 161 issued under 80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759, 5 U.S.C. 301, 19 U.S.C. 66, 1624. Statutory provisions interpreted or applied and additional authority are cited in parentheses following the sections affected.

§ 161.0 Scope.—The provisions of this part set forth the authority and responsibility of Customs officers in the enforcement of Customs laws of the United States. Also included are provisions relating to import and export controls enforced for other administering agencies, prosecution for violation of Customs laws, bribery of Customs officers and employees, the compromise of Government claims and informer's compensation.

#### SUBPART A-GENERAL PROVISIONS

§ 161.1 Customs supervision.—Whenever any action or thing is required by the regulations in this chapter, or by any provision of the Customs or navigation laws, to be done or maintained under the supervision of Customs officers, such supervision shall be carried out as prescribed in the regulations of this chapter, or by instructions from the Secretary of the Treasury, or the Commissioner of Customs in particular cases. In the absence of a governing regulation or instruction, supervision shall be direct and continuous, or by such occasional verification as the principal Customs field officer shall direct if such officer shall determine that less intensive supervision will ensure proper enforcement of the law and protection of the revenue. Nothing in this section shall be deemed to warrant any failure to direct and furnish required supervision or to excuse any failure of a party in interest

to comply with prescribed procedures for obtaining any required supervision.

(Sec. 22, 67 Stat. 520; 19 U.S.C. 1646a)

- § 161.2 Enforcement for other agencies.—(a) Laws enforced by Customs Service for administering agencies. Some of the laws enforced in whole or in part by the Customs Service for administering agencies are:
- (1) Importations and exportations of arms, ammunition, implements of war, helium gas, and other munitions of war are governed by laws administered by the Internal Revenue Service and Department of State;
- (2) Importations and exportations of controlled substances are governed by laws administered by the Bureau of Narcotics and Dangerous Drugs of the Department of Justice;

(3) Importations and exportations of gold are governed by laws

administered by the Department of the Treasury;

(4) Importations and exportations of atomic energy source material, fissionable material, and equipment and devices for utilizing or producing fissionable material are subject to laws administered by the Atomic Energy Commission; and

(5) The exportation of articles, other than those previously mentioned herein, are subject to requirements of laws administered by

the Department of Commerce.

- (b) Seizure for violation of law. When articles are imported or are intended to be, are being, or have been exported from the United States in violation of law, such articles and any vessel, vehicle, or aircraft knowingly used in their transportation shall be seized and proceeded against.
- (Sec. 5(b), 40 Stat. 415, as amended, 62 Stat. 716, sec. 502, 68 Stat. 1140, sec. 1, 40 Stat. 223, as amended, sec. 4, 48 Stat. 340, secs. 4, 7, 60 Stat. 759, 764, sec. 414, 68 Stat. 848, as amended; 12 U.S.C. 95a, 18 U.S.C. 545, 19 U.S.C. 1595(a), 22 U.S.C. 401, 31 U.S.C. 443, 42 U.S.C. 1804, 1807, 22 U.S.C. 1934)
- § 161.3 Prosecution for violation of Customs laws.—When there is a seizure or other violation of the Customs laws which requires legal proceedings by civil or criminal action, the district director or special agent in charge of the area involved shall furnish a report to the United States attorney in accordance with section 603, Tariff Act of 1930, as amended (19 U.S.C. 1603). Action shall be taken under section 545, title 18, United States Code, only when there is clear indication of a violation of some specific provision of law.

(Sec. 603, 46 Stat. 754, as amended, sec. 1, 62 Stat. 716; 18 U.S.C. 545, 19 U.S.C. 1603)

§ 161.4 Bribery of Customs officers and employees.—If, upon investigation, it is determined that money or anything of value was given, offered, or promised to a Customs officer or employee with the intent to control or influence such officer or employee in the performance of his official duties, the matter shall be referred to the United States attorney for prosecution under section 201, title 18, United States Code.

(Sec. 1, 76 Stat. 1119, as amended; 18 U.S.C. 201)

§ 161.5 Compromise of Government claims.—(a) Offer. An offer made pursuant to section 617, Tariff Act of 1930, as amended (19 U.S.C. 1617), in compromise of a Government claim arising under the Customs laws and the terms upon which it is made shall be stated in writing addressed to the Commissioner of Customs. The offer shall be limited to the civil liability of the proponent in the matter which is the subject of the Government's claim.

(b) Deposit of specific sum tendered. No offer in which a specific sum of money is tendered in compromise of a Government claim under the Customs laws will be considered by the Commissioner of Customs until due notice is received that such sum has been properly deposited in the name of the person submitting the offer with the Treasurer of the United States or a Federal Reserve bank. A proponent at a distance from a Federal Reserve bank may perfect his offer by tendering a bank draft for the amount of the offer payable to the Secretary of the Treasury for collection and deposit. If the offer is rejected, the money will be returned to the proponent.

(Sec. 617, 46 Stat. 757, as amended; 19 U.S.C. 1617)

## SUBPART B-INFORMER'S COMPENSATION

- § 161.11 Claim for compensation by informer.—(a) Persons not officers of United States. Any person not an officer of the United States who, in accordance with section 619, Tariff Act of 1930, as amended (19 U.S.C. 1619), detects, seizes, and reports any vessel, vehicle, merchandise, or baggage subject to seizure and forfeiture under the Customs or navigation laws, or who furnishes original information concerning any fraud upon the Customs revenue or a violation of the Customs or navigation laws perpetrated or contemplated, may file a claim for an award of compensation. Any Customs officer to whom the information is furnished shall advise the informant of his right to claim such an award.
- (b) Officer of the United States. Officers of the United States are precluded by section 620, Tariff Act of 1930 (19 U.S.C. 1620) from directly or indirectly receiving or contracting for any portion of a compensation award.

(Sec. 619, 620, 46 Stat. 758, as amended; 19 U.S.C. 1619, 1620)

§ 161.12 Filing of claim.—A claim for an award of compensation shall be filed in duplicate on Customs Form 4623 with the district director, but any Customs officer may receive such a claim for transmittal to the district director. Additional copies of the claim required by the district director shall be furnished on demand. Application may be made directly to the Commissioner of Customs where for any reason a claim has not been transmitted by the district director to the Commissioner. No claim for compensation shall be forwarded to the Commissioner unless a sum of not less than \$5 is available for an award.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.13 Limitation on claims.—Claimants may be paid 25 per centum of the net amount recovered from duties withheld, or any fine, penalty, or forfeiture incurred, but such amount shall not exceed \$50,000 regardless of the number of recoveries growing out of the information furnished.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.14 Payment of claims.—No claim under section 619, Tariff Act of 1930, as amended (19 U.S.C. 1619), shall be paid until the amount recovered has been deposited in the proper account. Claims shall not be paid out of the proceeds of sale.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.15 Informer's name confidential.—The informer's name and address shall be kept confidential. No files nor information concerning the informer shall be permitted to get into the possession of unauthorized persons. No information shall be revealed which might aid the offenders in identifying the informer.

PART 162-INSPECTION, SEARCH, AND SEIZURE

Chapter I of Title 19 is amended by adding a new Part 162 to read as follows:

Sec. 162.0 Scope.

#### SUBPART A-INSPECTION, EXAMINATION, AND SEARCH

162.1 Inspection of importer's books, records, and other papers.

162.2 Examination of importer and others.

162.3 Boarding and search of vessels.

162.4 Search for letters.

162.5 Search of arriving vehicles and aircraft.

162.6 Search of persons, baggage, and merchandise.

162.7 Search of vehicles, persons or beasts.

#### SUBPART B-SEARCH WARRANTS

- 162.11 Authority to procure warrant.
- 162.12 Service of search warrant.
- 162.13 Search of rooms not described in warrant.
- 162.14 Removal of letters and other documents.
- 162.15 Receipt for seized property.

### SUBPART O-SEIZURES

- 162.21 Responsibility and authority for seizures.
- 162.22 Seizure of conveyances.

## SUBPART D-PROCEDURE WHEN FINE, PENALTY OR FORFEITURE INCURRED

- 162.31 Notice of fine, penalty or forfeiture incurred.
- 162.32 Where petition for relief not filed.

#### SUBPART E-TREATMENT OF SEIZED MERCHANDISE

- 162.41 Merchandise entered by false invoice, declaration, other document or statement subject to forfeiture.
- 162.42 Proceedings by libel.
- 162.43 Appraisement.
- 162.44 Release on payment of appraised value.
- 162.45 Summary forfeiture where value not over \$2,500: Notice of seizure and sale.
- 162.46 Summary forfeiture where value not over \$2,500: Disposition of goods.
- 162.47 Claim for property subject to summary forfeiture.
- 162.48 Summary sale of perishable and other property valued not over \$2,500.
- 162.49 Forfeiture by court decree.
- 162.50 Forfeiture by court decree: Disposition.
- 162.51 Disposition of proceeds of sale of forfeited property.

#### SUBPART F-CONTROLLED SUBSTANCES, NARCOTICS, AND MARIHUANA

- 162.61 Importing and exporting controlled substances.
- 162.62 Permissible controlled substances on vessels, aircraft and individuals.
- 162.63 Arrests and seizures.
- 162.64 Custody of controlled substances.
- 162.65 Penalties for failure to manifest narcotic drugs or marihuana.
- 162.66 Penalties for unlading narcotic drugs or marihuana without a permit.

AUTHORITY: The provisions of this Part 162 issued under 80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759, 5 U.S.C. 301, 19 U.S.C. 66, 1624. The provisions of subpart B also issued under sec. 595, 46 Stat. 752, as amended; 19 U.S.C. 1595. Statutory provisions interpreted or applied and additional authority are cited in parentheses following the sections affected.

§ 162.0 Scope.—This part sets forth the provisions for the inspection, examination, and search of persons, vessels, aircraft, vehicles, and merchandise involved in importation, for the seizure of property and the forfeiture and sale thereof. It also contains provisions for Customs enforcement of the controlled substances, narcotics and marihuana laws. Provisions relating to petitions for remission or mitigation of fines, penalties, and forfeitures incurred are contained in Part 171 of this chapter.

## SUBPART A-INSPECTION, EXAMINATION, AND SEARCH

§ 162.1 Inspection of importer's books, records, and other papers.—Before demanding an inspection of any importer's books, correspondence, or records pursuant to section 511, Tariff Act of 1930, as amended (19 U.S.C. 1511), which authorizes such inspections and the prohibition of importations of merchandise or the withholding of delivery of merchandise for an importer failing to permit a duly accredited officer to inspect books, correspondence, or other records, the investigating officer shall present a written request for such inspection signed by the Commissioner of Customs, Regional Commissioner of Customs, district director of Customs, or judge of the U.S. Customs Court.

(Sec. 511, 46 Stat. 733 as amended; 19 U.S.C. 1511)

§ 162.2 Examination of importer and others.—The citation of a person to appear and testify pursuant to section 509, Tariff Act of 1930, as amended (19 U.S.C. 1509), authorizing such examination, shall be in writing and signed by the district director. It shall indicate clearly the merchandise or entries concerning which the examination will be held and the documents required to be presented. It shall be addressed to the person to be examined and shall state the specific time when and place where his personal appearance is required. Such citation shall be served in person or by registered or certified mail.

(Sec. 509, 46 Stat. 733, as amended; 19 U.S.C. 1509)

§ 162.3 Boarding and search of vessels.—(a) General authority. A Customs officer, for the purpose of examining the manifest and other documents and papers and examining, inspecting and searching the vessel, may at any time go on board:

(1) Any vessel at any place in the United States or within the

Customs waters of the United States:

(2) Any American vessel on the high seas, when there is probable cause to believe that such vessel is violating or has violated the laws of

the United States: or

- (3) Any vessel within a Customs-enforcement area designated such under the provisions of the Anti-Smuggling Act (Act of August 5, 1935, as amended, 49 Stat. 517; 19 U.S.C. 1701, 1703–1711), but Customs officers shall not board a foreign vessel upon the high seas in contravention of any treaty with a foreign government, or in the absence of a special arrangement with the foreign government concerned.
- (b) Search of army or navy transport. If the district director or special agent in charge believes that sufficient grounds exist to justify a search of any army or navy transport, the facts shall be reported to the commanding officer or master of such transport with a request that

he cause a full search to be made, and advise the district director or special agent in charge of the result of such search. If, after the cargo has been discharged, passengers and their baggage landed, and the baggage of officers and crewmembers examined and passed, the district director or special agent in charge believes that sufficient grounds exist to justify the continuance of Customs supervision of the vessel, the commanding officer of the vessel shall be advised accordingly.

(Secs. 455, 581, 46 Stat. 716, as amended, 747, as amended; 19 U.S.C. 1455, 1581)

§ 162.4 Search for letters.—A Customs officer may search vessels for letters which may be on board or may have been conveyed contrary to law on board any vessel or on any post route, and shall seize such letters and deliver them to the nearest post office or detain them subject to the orders of the postal authorities.

(Secs. 604, 605, 84 Stat. 728; 39 U.S.C. 604, 605)

§ 162.5 Search of arriving vehicles and aircraft.—A Customs officer may stop any vehicle and board any aircraft arriving in the United States from a foreign country for the purpose of examining the manifest and other documents and papers and examining, inspecting, and searching the vehicle or aircraft.

(Sec. 581, 46 Stat. 747, as amended, sec. 1109, 72 Stat. 799, as amended; 19 U.S.C. 1581, 49 U.S.C. 1509)

§ 162.6 Search of persons, baggage, and merchandise.—All persons, baggage, and merchandise arriving in the Customs territory of the United States from places outside thereof are liable to inspection and search by a Customs officer. District directors and special agents in charge are authorized to cause inspection, examination, and search to be made under section 467, Tariff Act of 1930, as amended (19 U.S.C. 1467), of persons, baggage, or merchandise, even though such persons, baggage, or merchandise were inspected, examined, searched, or taken on board the vessel at another port or place in the United States or the Virgin Islands, if such action is deemed necessary or appropriate.

(Secs. 461, 496, 46 Stat. 717, 727, as amended, sec. 11, 52 Stat. 1083, as amended; 19 U.S.C. 1461, 1467, 1496)

§ 162.7 Search of vehicles, persons, or beasts.—A Customs officer may stop, search, and examine any vehicle, person, or beast, or search any truck or envelope wherever found, in accordance with section 3061 of the Revised Statutes (19 U.S.C. 482).

### SUBPART B-SEARCH WARRANTS

§ 162.11 Authority to procure warrants.—Customs officers are authorized to procure search warrants under the provisions of sec-

tion 595, Tariff Act of 1930, as amended (19 U.S.C. 1595). However, a Customs officer who is lawfully on any premises and is able to identify merchandise which has been imported contrary to law may seize such merchandise without a warrant. If merchandise is in a building on the boundary, see § 123.71 of this chapter.

- § 162.12 Service of search warrant.—A search warrant shall be served in person by the officer to whom it is issued and addressed. In serving a search warrant, the officer shall leave a copy of the warrant with the person in charge or possession of the premises, or in the absence of any person, the copy shall be left in some conspicuous place on the premises searched.
- § 162.13 Search of rooms not described in warrant.—When a Customs officer is acting under a warrant to search the rooms in a building occupied by persons named or described in the warrant, no search shall be made of any rooms in such building which are not described in the warrant as occupied by such persons.
- § 162.14 Removal of letters and other documents.—Customs officers to whom a warrant is issued to search for and seize merchandise are without authority to remove letters and other documents and records, unless they themselves are instruments of crime and are seized as an incident to a lawful arrest.
- § 162.15 Receipt for seized property.—A receipt for property seized under a search warrant shall be left with the person in charge or possession of the premises, or in the absence of any person, the receipt shall be left in some conspicuous place on the premises searched.

#### SUBPART C-SEIZURES

§ 162.21 Responsibility and authority for seizures.—(a) Seizures by Customs officers. Any Customs officer having reasonable cause to believe that any law, the enforcement of which is within the jurisdiction of the Customs Service, has been violated by reason of which any property has become subject to forfeiture, shall seize such property if available. A receipt for seized property shall be given at the time of seizure to the person from whom the property is seized.

(b) Seizure by persons other than Customs officers. The district director may adopt a seizure made by a person other than a Customs officer if such district director has reasonable cause to believe that the

property is subject to forfeiture under the Customs laws.

(c) Seizure by State official. If a duly constituted State official has seized any merchandise, vessel, aircraft, vehicle, or other conveyance under provisions of the statutes of such State, such property shall not be seized by a Customs officer unless the property is voluntarily turned over to him to be proceeded against under the Federal statutes.

(R.S. 3061, secs. 581, 582, 602, 46 Stat. 747, as amended, 748, 754, as amended; 19 U.S.C. 482, 1581, 1582, 1602)

§ 162.22 Seizure of conveyances.—(a) General applicability. If it shall appear to any officer authorized to board conveyances and make seizures that there has been a violation of any law of the United States whereby a vessel, vehicle, aircraft, or other conveyance, or any merchandise on board of or imported by such vessel, vehicle, aircraft, or other conveyance is liable to forfeiture, the officer shall seize such conveyance and arrest any person engaged in such violation. Common carriers are exempted from seizure except under certain specified conditions as provided for in section 594, Tariff Act of 1930 (19 U.S.C. 1594).

(b) Facilitating importation contrary to law. Every vessel, vehicle, animal, aircraft, or other conveyance which is being or has been used in, or to aid or facilitate, the importation, bringing in, unlading, landing, removal, concealing, harboring, or subsequent transportation of any article which is being, or has been introduced or attempted to be introduced into the United States contrary to law, shall be seized and held subject to forfeiture, and any person who directs, assists financially or otherwise, or is in any way concerned in any such unlawful activity shall be liable to a penalty equal to the value of the article or articles involved.

(c) Common carrier clearance. Unless specifically authorized by law, clearance of vessels within the common carrier exception of section 594, Tariff Act of 1930 (19 U.S.C. 1594), shall not be refused for the purpose of collecting a fine imposed upon the master or owner, unless either of them was a party to the illegal act. The Government's remedy in such cases is limited to an action against the master or owner.

(d) Retention of vessel or vehicle pending penalty payment. If a penalty is incurred under section 460, Tariff Act of 1930, as amended (19 U.S.C. 1460), by a person in charge of a vessel or vehicle and the vessel or vehicle is not subject to seizure, such vessel or vehicle may be held by the district director under section 594, Tariff Act of 1930, until the penalty incurred by the person in charge has been settled.

(e) Maritime Administration vessels; exemption from penalty.
(1) When a vessel owned or chartered under bareboat charter by the Maritime Administration and operated for its account becomes liable for the payment of a penalty incurred for violation of the Customs revenue or navigation laws, clearance of the vessel shall not be withheld nor shall any proceedings be taken against the vessel itself looking to the enforcement of such liability.

(2) This exemption shall not in any way be considered to relieve

the master of any such vessel or other person incurring such penalties from personal liability for payment.

(Sec. 1, 62 Stat. 717, secs. 459, 460, 594, 46 Stat. 717, as amended, 751, secs. 1, 3–8, 49 Stat. 517, 518, 519, as amended, 520; 18 U.S.C. 546, 19 U.S.C. 1459, 1460, 1594, 1701, 1703–1708)

SUBPART D-PROCEDURE WHEN FINE, PENALTY, OR FORFEITURE INCURRED

§ 162.31 Notice of fine, penalty, or forfeiture incurred.—(a) Notice. Written notice of any fine or penalty incurred as well as any liability to forfeiture shall be given to each party that the facts of record indicate has an interest in the claim or seized property. The notice shall also inform each interested party of his right to apply for relief under section 618, Tariff Act of 1930, as amended (19 U.S.C. 1618), or any other applicable statute authorizing mitigation of penalties or remission of forfeitures, in accordance with Part 171 of this chapter.

- (b) Demand for deposit in case of smuggled articles of small value. In the case of smuggled articles of small value, demand shall be made for immediate deposit of an amount equivalent to the domestic value of the articles on account of the liability to a penalty incurred as distinct from liability of the goods to forfeiture. Such sum shall be deposited whether or not a petition for relief is filed in accordance with Part 171 of this chapter. A demand for deposit need not be made in connection with any liability incurred by the master of a vessel under the provisions of section 453, Tariff Act of 1930, as amended (19 U.S.C. 1453).
- § 162.32 Where petition for relief not filed.—(a) Fines and penalties. If the person liable for a fine or penalty for any violation of the Customs or navigation laws fails to petition for relief in accordance with Part 171 of this chapter, or pay or arrange to pay the penalty within 60 days from the date of mailing of the notice of violation as provided in section 162.31, the case shall be referred immediately to the U.S. attorney for appropriate action unless other action is expressly authorized by the Commissioner of Customs. However, if it appears that the person liable for the penalty is absent from the United States or during the 60-day period was absent for more than 30 days, the district director may withhold referral for a further reasonable time.
- (b) Appraised value of seized property exceeds \$2,500. When the appraised value of seized property exceeds \$2,500 and neither a petition for relief in accordance with Part 171 of this chapter nor an offer to pay the domestic value as provided for in section 162.44 is made within a reasonable time, the district director shall report the facts to

the U.S. attorney for the judicial district in which the seizure was made.

(Secs. 603, 610, 46 Stat. 754, as amended, 755, as amended; 19 U.S.C. 1603, 1610)

#### SUBPART E-TREATMENT OF SEIZED MERCHANDISE

§ 162.41 Merchandise entered by false invoice, declaration, other document or statement subject to forfeiture.—(a) Election to proceed against merchandise or value when forfeiture incurred. When merchandise or the value thereof is subject to foreiture under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592), including any article seized under the provisions of section 499, Tariff Act of 1930, as amended (19 U.S.C. 1499), the district director may elect to proceed against the merchandise or its domestic value. However, if the merchandise is in the possession of an innocent purchaser, it shall not be seized. In such cases, or when the merchandise is not available for seizure, the district director shall proceed to recover the domestic value.

(b) Claim for domestic value unpaid. If a claim for domestic value is made by the district director, and it is not paid or settled as prescribed in this part or Part 171 of this chapter, the claim shall be for-

warded to the U.S. attorney for appropriate action.

(c) Liability for duties unaffected by forfeiture. When an entry covering merchandise subject to the provisions of section 592, Tariff Act of 1930, as amended, has been made, it shall be liquidated and the duties collected as though no forfeiture had been incurred. Appraisement of the merchandise or liquidation of the entry shall not be withheld because of the pending forfeiture proceedings. When merchandise not covered by an entry is subject to section 592, Tariff Act of 1930, as amended, a demand shall be made on the importer for payment of the duty estimated to be due on such merchandise in addition to the seizure of the merchandise or the demand for forfeiture value. Any applicable internal revenue tax shall also be demanded unless the merchandise is to be, or has been, forfeited.

§ 162.42 Proceedings by libel.—If seizure is made under a statute which provides that the property may be seized and proceeded against by libel, the summary forfeiture procedures set forth in §§ 162.45, 162.46, and 162.47 do not apply. Such cases shall be referred to the U.S. attorney. The district director may request the U.S. attorney to seek a decree of forfeiture providing for delivery of the property to the district director for sale or other appropriate disposition, if such property is not to be retained for official use.

§ 162.43 Appraisement.—(a) Property under seizure and subject to forfeiture. Seized property shall be appraised as required by section 606, Tariff Act of 1930, as amended (19 U.S.C. 1606). The term "domestic value" as used therein shall mean the price at which such or similar property is freely offered for sale at the time and place of appraisement, in the same quantity or quantities as seized, and in the ordinary course of trade. If there is no market for the seized property at the place of appraisement, such value in the principal market nearest to the place of appraisement shall be reported.

(b) Property not under seizure. With respect to property not under seizure, the basis for the claim for forfeiture value or for assessment of penalty is the domestic value as defined in paragraph (a) of this section, except that the value shall be fixed as of the date of the violation. In the case of entered merchandise, the date of the violation shall be the date of the entry, or the date of the filing of the document, or the commission of the act forming the basis of the claim, which-

ever is later.

(c) Prohibited importation. For the purpose of condemnation or forfeiture only, the value of all seized merchandise, the importation of which is prohibited, shall be held not to exceed \$2,500. However, seized merchandise, the importation of which is absolutely prohibited, shall be appraised at its foreign-market value, since such merchandise has no domestic value.

(Secs. 606, 608, 46 Stat. 754, as amended, 755 as amended; 19 U.S.C. 1606, 1608)

§ 162.44 Release on payment of appraised value.—(a) Value exceeding \$50,000. Any offer to pay the appraised domestic value of seized merchandise in order to obtain the immediate release of property which was seized under the Customs laws and exceeding \$50,000 in appraised domestic value, or which was seized under the navigation laws, shall be in writing, addressed to the Commissioner of Customs, signed by the claimant or his attorney, and shall contain an assent to forfeiture and a waiver of further proceedings. It shall be submitted in duplicate to the district director for the district in which the property was seized. Proof of ownership shall be submitted with the application if the facts in the case make such action necessary.

(b) Value not over \$50,000—(1) Authority to accept offer. The district director is authorized to accept a written offer pursuant to section 614, Tariff Act of 1930, as amended (19 U.S.C. 1614), to pay the appraised domestic value of property seized under the Customs

laws and to release such property if:

(i) The appraised domestic value of the seized property does not exceed \$50,000;

(ii) The district director is satisfied that the claimant has, in fact, a substantial interest in the property;

(iii) Entry of the seized property into the commerce of the

United States is not prohibited by law; and

(iv) The claimant or his attorney has executed an assent to forfeiture and a waiver of further proceedings on Customs Form 4607.

(2) Referral of offer. The district director shall refer to the Commissioner of Customs any offer where it appears that the claimant does not have a substantial interest in the seized property or where it appears it would not be in the best interest of the United States to accept.

(c) Retention of property. The district director shall retain custody of the property pending payment of the amount of the offer when the

application is approved.

(Sec. 614, 46 Stat. 757, as amended; 19 U.S.C. 1614)

§ 162.45 Summary forfeiture where value not over \$2,500: Notice of seizure and sale.—(a) Contents. The notice required by section 607, Tariff Act of 1930, as amended (19 U.S.C. 1607), of seizure and intent to forfeit and sell or otherwise dispose of according to law property not exceeding \$2,500 in value shall:

(1) Describe the property seized and in the case of motor vehicles,

specify the motor and serial numbers;

(2) State the time, cause, and place of seizure;

(3) State that any person desiring to claim the property must appear at a designated place and file with the district director within 20 days from the date of the first publication of the notice a claim to such property and a bond in the sum of \$250, in default of which the property will be disposed of in accordance with the law; and

(4) State the name and place of residence of the person to whom any vessel or merchandise seized for forfeiture under the navigation laws belongs or is consigned, if that information is known to the dis-

trict director.

(b) Publication. When the appraised value of any property in one seizure from one person other than narcotics and dangerous drugs exceeds \$250, the notice shall be published in a newspaper of general circulation in the Customs district and the judicial district in which the property was seized for at least 3 successive weeks. In all other cases, the notice shall be published by posting in a conspicuous place accessible to the public in the customhouse nearest the place of seizure and in the customhouse at the headquarters port for the Customs district, with the date of posting noted thereon, and shall be kept posted for at least 3 successive weeks. Articles of small value of the same class or kind included in two or more seizures shall be advertised as one unit.

- (c) Delay of publication. Publication of the notice of seizure and intent to summarily forfeit and dispose of goods valued not over \$2,500 may be delayed for a period not to exceed 60 days in those cases where the district director has reason to believe that a petition for administrative relief in accord with Part 171 of this chapter will be filed.
- § 162.46 Summary forfeiture where value not over \$2,500: Disposition of goods.—(a) General. If no petition for relief from the forfeiture is filed in accordance with the provision of Part 171 of this chapter, or if a petition was filed and has been denied, and the property is not retained for official use, it shall be disposed of in accordance with section 609, Tariff Act of 1930, as amended (19 U.S.C. 1609).
- (b) Articles required to be inspected by other Government agencies. Before seized drugs, insecticides, seeds, plants, nursery stock, and other articles required to be inspected by other Government agencies are sold, they shall be inspected by a representative of such agency to ascertain whether or not they meet the requirements of the laws and regulations of that agency, and if found not to meet such requirements, they shall be destroyed forthwith.

(c) Sale—(1) General. If the forfeited property is cleared for sale, it shall be sold in accordance with the applicable provisions of Part 20 of this chapter. The district director may postpone the sale of small seizures until he believes the proceeds of a consolidated sale will pay all expenses.

(2) Transfer to another district for sale. Property shall be moved to and sold in such other Customs district as the Commissioner of Customs may direct pursuant to the provisions of section 611, Tariff Act of 1930 (19 U.S.C. 1611), if:

(i) The laws of a State in which property is seized and

forfeited prohibit the sale of such property; or

- (ii) The Commissioner is of the opinion that the sale of forfeited property may be made more advantageously in another Customs district.
- (d) Destruction. If, after summary forfeiture of property is completed, it appears that the proceeds of sale will not be sufficient to pay the costs of sale, the district director may order the destruction of the property. Any vessel or vehicle summarily forfeited for violation of any law respecting the Customs revenue may be destroyed in lieu of the sale thereof when such destruction is authorized by the Commissioner of Customs to protect the revenue.

(Secs. 609, 611, 46 Stat. 755, as amended, sec. 5, 49 Stat. 519; 19 U.S.C. 1609, 1611, 1705)

§ 162.47 Claim for property subject to summary forfeiture.—
(a) Filing of claim. Any person desiring to claim under the provisions of section 608, Tariff Act of 1930 (19 U.S.C. 1608), seized property not exceeding \$2,500 in value and subject to summary forfeiture, shall file a claim to such property with the district director within 20 days from the date of the first publication of the notice prescribed in section 162.45.

(b) Bond for costs. The bond in the penal sum of \$250 required by section 608, Tariff Act of 1930, to be filed with a claim for seized property shall be on Customs Form 4615. There shall be endorsed on the bond a list or schedule in substantially the following form which shall be signed by the claimant in the presence of the witnesses to the bond, and attested by the witnesses:

List or schedule containing a particular description of seized article, claim for which is covered by the within bond, to wit:

The foregoing list is correct.	
	Claimant
Attest:	

(c) Claimant not entitled to possession. The filing of a claim and the giving of a bond pursuant to section 608, Tariff Act of 1930, shall not be construed to entitle the claimant to possession of the property. Such action only stops the summary forfeiture proceeding.

(d) Report to the U.S. attorney. When the claim and bond are filed within the 20-day period, the district director shall report the case to the U.S. attorney for the institution of condemnation proceedings.

(Sec. 608, 46 Stat. 755, as amended; 19 U.S.C. 1608)

§ 162.48 Summary sale of perishable and other property valued not over \$2,500.—Seized property which is perishable or otherwise enumerated in section 612, Tariff Act of 1930, as amended (19 U.S.C. 1612), and is valued at not over \$2,500 shall be advertised for sale and sold at public auction at the earliest possible date. The district director shall proceed to give notice by advertisement of the summary sale for such time as he considers reasonable. This notice shall be of sale only and not notice of seizure and intent to forfeit. The proceeds of the sale shall be held subject to the claims of parties in interest in the same manner as the seized property would have been subject to such claims.

(Sec. 612, 46 Stat. 756, as amended; 19 U.S.C. 1612)

§ 162.49 Forfeiture by court decree.—(a) Report to the U.S. attorney. When it is necessary to institute legal proceedings in order

to forfeit seized property, or to forfeit the value of property subject to forfeiture, the district director or the special agent in charge of the area involved shall furnish a report to the U.S. attorney in accordance with the provisions of section 603, Tariff Act of 1930, as amended (19 U.S.C. 1603).

(b) Bonding of seized property. When a claimant desires to file a bond for the release of seized property which is the subject of a court proceeding, he shall be referred to the U.S. attorney. The Government is entitled to recover the penal sum of the bond if forfeiture is then decreed.

(Sec. 201, 72 Stat. 1412; 26 U.S.C. 5688(c))

§ 162.50 Forfeiture by court decree: Disposition.—(a) Sale. Forfeited property decreed by the court for sale or disposition by the district director shall be disposed of in the same manner as property

summarily forfeited. (See § 162.46.)

(b) Transfer to other districts for sale. If the laws of the State in which property is seized and forfeited prohibit the sale of such property, or if the Commissioner of Customs is of the opinion that the sale of forfeited property may be made more advantageously in another Customs district, application may be made to the court to permit disposition in accordance with the provisions of section 611, Tariff Act of 1930 (19 U.S.C. 1611). If the court permits such disposition, the property shall be moved to and sold in such other district as the Commissioner may direct provided it has been cleared for sale.

(c) Destruction—(1) Proceeds of sale not sufficient. Property forfeited under a decree of any court may be destroyed if it is provided in the decree of forfeiture that the property shall be delivered to the Secretary of the Treasury or the Commissioner of Customs for disposition in accordance with section 611, Tariff Act of 1930 (19 U.S.C.

1611).

(2) For protection of the revenue. Any vessel or vehicle forfeited under a decree of any court for violation of any law respecting the Customs revenue may be destroyed in lieu of sale when such destruction is authorized by the Commissioner of Customs to protect the revenue if it is provided in the decree of forfeiture that the property shall be delivered to the Secretary of the Treasury or Commissioner of Customs for disposition under the provisions of 19 U.S.C. 1705.

(Sec. 611, 46 Stat. 755, sec. 5, 49 Stat. 519; 19 U.S.C. 1611, 1705)

§ 162.51 Disposition of proceeds of sale of forfeited property.—
(a) Payment of expense incurred. Expenses incurred by Customs

officers in connection with seizures and forfeitures shall be paid from the Customs appropriation. In the event that the forfeited property has been authorized for transfer to another Federal agency for official use, the receiving agency shall reimburse the Customs appropriation for the costs incurred for moving and storing such property from the date of seizure to the date of delivery. If the property is cleared for sale, the Customs appropriation shall be reimbursed from the proceeds of the sale for all expenses paid from such appropriation in connection with the seizure and forfeiture of such property.

(b) Distribution of proceeds. If the forfeiture and sale of property is pursuant to court proceedings, or the imposition of a fine or penalty results from a prosecution instituted in a civil or criminal case under the Customs laws, the sum recovered, after deducting all proper charges for marshal's fees, court costs, and other similar costs, is payable to the district director who shall distribute it without delay in accordance with section 613, Tariff Act of 1930, as amended (19 U.S.C. 1613).

SUBPART F-CONTROLLED SUBSTANCES, NARCOTICS, AND MARIHUANA

§ 162.61 Importing and exporting controlled substances.—It shall be unlawful to import to or export from the United States any controlled substance or narcotic drug listed in schedules I through V of the Controlled Substances Act (Sec. 202, 84 Stat. 1247; 21 U.S.C. 812), unless there has been compliance with the provisions of said Act, the Controlled Substances Import and Export Act and the regulations of the Bureau of Narcotics and Dangerous Drugs.

(Secs. 1002, 1003, 1007, 84 Stat. 1285, 1286, 1288; 21 U.S.C. 952, 953, 957)

§ 162.62 Permissible controlled substances on vessels, aircraft, and individuals.—Upon compliance with the provisions of the Controlled Substances Act (84 Stat. 1242; 21 U.S.C. 801), the Controlled Substances Import and Export Act (84 Stat. 1285; 21 U.S.C. 951), and the regulations of the Bureau of Narcotics and Dangerous Drugs (21 CFR 301.28, 301.29, 311.28), controlled substances listed in schedules I through V of the Controlled Substances Act may be held:

(a) On vessels engaged in international trade in medicine chests and dispensaries.

(b) In aircraft operated by an air carrier under a certificate or permit issued by the Federal Aviation Administration for stocking in medicine chests and first aid packets.

(c) By an individual where lawfully obtained for personal medical use or for administration to an animal accompanying him to enter or depart the United States.

(Secs. 1002, 1006, 84 Stat. 1285, 1288; 21 U.S.C. 952, 956)

§ 162.63 Arrests and seizures.—Arrests and seizures under the Controlled Substances Act (84 Stat. 1242, 21 U.S.C. 801) and the Controlled Substances Import and Export Act (84 Stat. 1285, 21 U.S.C. 951), shall be handled in the same manner as other Customs arrests and seizures. Controlled substances imported contrary to law shall be seized and forfeited in the manner provided in sections 607 and 608, Tariff Act of 1930, as amended (19 U.S.C. 1607, 1608). (See §§ 162.42 and 162.45.)

(Sec. 511(d), 1016, 84 Stat. 1277, 1291; 21 U.S.C. 881(d), 966)

§ 162.64 Custody of controlled substances.—All controlled substances seized by a Customs officer shall be delivered immediately into the custody of the district director in whose district the seizure is made, together with a full report of the circumstances of the seizure.

(Sec. 511(d), 1016, 84 Stat. 1277, 1291; 21 U.S.C. 881(d), 966)

- § 162.65 Penalties for failure to manifest narcotic drugs or marihuana.—(a) Cargo or baggage containing unmanifested narcotic drugs or marihuana. When a package of regular cargo or a passenger's baggage otherwise properly manifested is found to contain any narcotic drug or marihuana imported for sale or other commercial purpose and not shown as such on the manifest, the penalties prescribed in section 584, Tariff Act of 1930, as amended (19 U.S.C. 1584), shall be assessed with respect to such narcotic drug or marihuana.
- (b) Unmanifested narcotic drugs. When an unmanifested narcotic drug is found on board of, or after having been unladen from, a vessel or vehicle the penalties prescribed in section 584, Tariff Act of 1930, as amended (19 U.S.C. 1584), shall be assessed. The penalty shall be applied without exception and without regard to any question of negligence or responsibility.
- (c) Notice and demand for payment of penalty. A written notice and demand for payment of the penalty for failure to manifest in-

curred under section 584, Tariff Act of 1930, as amended (19 U.S.C. 1584), together with a copy of section 584, shall be sent to the master of the vessel or the person in charge of the vehicle and to the owner of the vessel or vehicle. In the case of a vessel, if bond has been given, the notice also shall be sent to each surety. When a petition for relief from such penalty has been filed in accordance with Part 171 of this chapter, and a decision has been made thereon, the district director shall send notice of such decision to the interested persons together with a demand for any payment required under the terms of such decision.

(d) Referral to the U.S. attorney. If the penalty incurred under section 584, is not paid or a petition filed as provided in Part 171 of this chapter, or if payment is not made in accordance with the decision on a petition or a supplemental petition, the district director shall refer the case to the U.S. attorney for appropriate action.

(e) Withholding clearance of vessel. Where a penalty has been incurred under section 584, Tariff Act of 1930, as amended, for failure to manifest narcotic drugs, clearance of the vessel involved shall be withheld until the penalty is paid or a bond satisfactory to the district

director is given for the payment thereof unless

(1) The narcotics were discovered in a passenger's baggage and the district director is satisfied that neither the master nor any of the officers nor the owner of the vessel knew or had any reason to know or suspect that the narcotics had been on board the vessel, or

(2) Prior authority for the clearance without payment of the penalty or the furnishing of the bond is obtained from the Bureau.

(Sec. 584, 46 Stat. 748, as amended, secs. 1010, 1011, 84 Stat. 1290; 19 U.S.C. 1584, 21 U.S.C. 960, 961)

§ 162.66 Penalties for unlading narcotic drugs or marihuana without a permit.—In every case where a narcotic drug or marihuana is unladen without a permit, the penalties prescribed in section 453, Tariff Act of 1930, as amended (19 U.S.C. 1453), shall be assessed. Penalties shall be assessed under this section when a package of regular cargo or a passenger's baggage otherwise covered by a permit to unlade is found to contain any narcotic drug or marihuana imported for sale or other commercial purpose and not specifically covered by a permit to unlade.

## Parallel Reference Table

(This table shows the relation of sections in revised Parts 161 and 162 to 19 CFR Part 23)

	Superseded Section	Revised Section	Superseded Section
Section 161.0	New	162.41(c)	
161.1		162.42	
	23.31 (a)-(c).		23.12(a) and $(b)$ .
161.2(b)		162.43(b)	
161.3			23.12(d) and $(c)$ .
161.4	23.30.	162.44(a)	
161.5		162.44(b)	
161.11		162.44(c)	
	23.27 (b), (c)	162.45(a)	
	and (e).	162.45(b)	
161.13		162.45(c)	
161.14		162.45(d)	
161.15		162.46(a)	
162.0		162.46(b)	23.16(b).
162.1		$162.46(c)(1)_{-}$	. 23.17 (b) and (c).
162.2		162.46(c)(2)	23.19(a).
162.3(a)	23.1(a).	162.46(d)	23.19 (b) and (c).
162.3(b)		162.47(a)	New.
162.4		162.47(b)	23.13(a).
162.5	23.1(d).	$162.47(c)_{}$	23.13(b).
162.6		$162.47(d)_{}$	
162.7	23.1(d).	162.48	
	New; $23.11(g)$ .	162.49(a)	23.21(a).
	23.11 (e) and (f).	162.49(b)	
162.13	23.11(d).	162.50(a)	
162.14	23.11(c).	162.50(b)	
162.15		162.50(c)	
162.21(a)			a. 23.20 (a) and $(b)$ .
162.21(b)			$23.9 (i)$ and $(k)$ .
162.21(c)	23.11(b).	162.62	( )
162.22	23.3 (a)-(d);	162.63	
	23.10.	162.64	
162.31(a)		162.65(a)	
	23.23(b).	162.65(b)	
162.32(a)			23.9 (f)  and  (g).
$162.32(b)_{}$	23.21(b).	$162.65(d)_{}$	
162.41(a)	23.6 (a) and (c).	162.65(e)	
162.41(b)	-23.6(b).	162.66	23.9 (c)  and  (d).

## (T.D. 72-212)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., August 8, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Denmark krone:	
July 31, 1972	\$0.143775
August 1, 1972	.14365
August 2, 1972	.1437
August 3, 1972	
August 4, 1972	. 14375
Hong Kong dollar: Official	Free
July 3, 1972 \$0.1700	
July 4, 1972 Holiday	"
July 5, 1972 1700	"
July 6, 19721725	66
July 7, 1972 1750	44
Iran rial:	
July 24, 1972	\$0.0130
July 25, 1972	
July 26, 1972	
July 27, 1972	
July 28, 1972	
Philippine peso:	
For the period July 24 through	July 28, 1972, rate
of \$0.1465.	
Thailand baht (tical):	
July 24, 1972	\$0. 0478
July 25, 1972	
July 26, 1972	
July 27, 1972	
July 28, 1972	
(342.211)	

EDWIN F. RAINS, Acting Commissioner of Customs.

## (T.D. 72-213)

Merchandise entered in the Virgin Islands from Customs territory of the United States

Ruling relating to documents required on entry

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C.

On January 4, 1972, there was published in the Federal Register (37 F.R. 19) a notice of proposed ruling which would require certain documents to be filed upon the entry into the Virgin Islands of the United States from the Customs territory of the United States of merchandise claimed to be duty free as the growth, product, or manufacture of the Customs territory of the United States. The purpose of the ruling is to enable Customs officers to determine the origin of such merchandise to insure the collection of the proper amount of duty. Interested parties were given an opportunity to submit in writing relevant data, views, or arguments regarding the proposed ruling.

After full consideration of all materials submitted and under the authority vested in the Secretary of the Treasury by section 36 of the Act of June 22, 1936, to make rules and regulations deemed necessary for the administration of the Customs laws in the Virgin Islands, which authority was delegated to the Commissioner of Customs by Treasury Department Order No. 165, Revised (T.D. 53634, 19 F.R. 7241), the following ruling is hereby adopted:

Upon entry into the Virgin Islands of the United States from the Customs territory of the United States of merchandise claimed to be duty free as the growth, product, or manufacture of the Customs territory of the United States, the following documents shall be filed in addition to the documents ordinarily required:

(1) When the entire shipment of merchandise is claimed to be duty free as the growth, product, or manufacture of the Customs territory of the United States, a declaration, in duplicate, by the importer, owner consignee, or agent, in substantially the following form:

	Vessel or Aircraft
	Bill of Lading No.
	Date of Arrival
I,	of
,	(importer, owner, consignee, or agent) (name of firm)

do hereby declare that the above described shipment contains only merchandise which is the growth, product, or manufacture of the Customs territory of the United States.

Signature \_\_\_\_\_

(2) When a part, but not the entire shipment, is claimed to be duty free as the growth, product, or manufacture of the Customs territory of the United States, a declaration shall be made, in duplicate, by the importer, owner, consignee, or agent, in substantially the following form:

Vessel or Aircraft

Bill of Lading No.

Date of Arrival

(importer, owner, consignee, or agent) (name of firm)

do hereby declare that the above-described shipment contains merchandise which is not the growth, product, or manufacture of the Customs territory of the United States. An entry will be made for that part of the shipment which is not the growth, product, or manufacture of the Customs territory of the United States within the prescribed time limits.

Date \_\_\_\_\_

(3) A copy of the Commercial invoice or, if necessary, a pro forma invoice. Each line or item of the invoice shall be marked by the importer, owner, consignee, or agent, to indicate the country of origin of the imported merchandise.

If the District Director in the Virgin Islands is satisfied that all the requirements of the law have been met, he may waive the requirements for filing the documents provided for in (1), (2), and (3) above.

As used above, the term "Customs territory of the United States" includes the States, the District of Columbia, and Puerto Rico.

Effective date: The above ruling shall become effective thirty days after the date of its publication in the Federal Register.

(017.6)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved August 7, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register August 15, 1972 (37 F.R. 16485)]

496-798-74-27

## (T.D. 72-214)

Purchase price certification-Cheddar cheese, U.S. Grade A or higher

Commodity Credit Corporation purchase price certified to the Secretary of the Treasury by the Secretary of Agriculture for cheddar cheese, U.S. Grade A or higher, standard moisture basis, under the milk price support program.

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 10, 1972.

There is published below the certification of the Secretary of Agriculture to the Secretary of the Treasury of the Commodity Credit Corporation purchase price for cheddar cheese, U.S. Grade A or, higher, standard moisture basis, under the milk price support program, rounded to the nearest whole cent, plus 7 cents. The determination and certification were made in accordance with Headnote 3(a) (v) of Part 3 of the Appendix to the Tariff Schedules of the United States, provided for in Presidential Proclamation No. 4138 of June 3, 1972.

This determination by the Secretary of Agriculture was published in the Federal Register on June 6, 1972 (37 F.R. 11234).

(452.53)

EDWIN F. RAINS, Acting Commissioner of Customs.

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

June 5, 1972.

Honorable John B. Connally Secretary of the Treasury Washington, D.C. 20220 DEAR MR. SECRETARY:

In accordance with headnote 3(a)(v) of part 3 of the Appendix to the Tariff Schedules of the United States, as added by Proclamation of June 3, 1972, I have made the determination required thereby with respect to the price to be used as a basis for import restrictions on certain cheese provided for in TSUS items 950.10B through 950.10E of said part 3 and certify that the Commodity Credit Corporation purchase price for Cheddar cheese, U.S. Grade A or higher, standard moisture basis, under the milk price support program, rounded to the nearest whole cent, plus 7 cents, is 62 cents per pound.

A copy of this determination, which will be published in the Federal Register, is enclosed.

Sincerely,

EARL L. BUTZ, Secretary.

Enclosure

(T.D. 72-215)

Presidential Proclamation—Importation of dairy products

Presidential Proclamation No. 4138 concerning restrictions on the importation of certain dairy products into the United States

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 10, 1972.

There is published below Presidential Proclamation No. 4138 of June 3, 1972, which amends items 950.10B, 950.10C, 950.10D, 950.10E, and Headnote 3(a) of Part 3 of the Appendix to the Tariff Schedules of the United States with respect to restrictions on the importation of certain dairy products into the United States.

This Proclamation was published in the Federal Register on June 6, 1972 (37 F.R. 11227).

(452.5)

Edwin F. Rains,
Acting Commissioner of Customs.

By THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain articles which may be imported into the United States in any quota year; and

WHEREAS, in accordance with section 102(3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963, proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS, the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963; Proclamation No. 3562

of November 26, 1963; Proclamation No. 3597 of July 7, 1964; section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950); Proclamation No. 3709 of March 31, 1966; Proclamation No. 3790 of June 30, 1967; Proclamation No. 3822 of December 16, 1967; Proclamation No. 3856 of June 10, 1968; Proclamation No. 3870 of September 24, 1968; Proclamation No. 3884 of January 6, 1969; and Proclamation No. 4026 of December 31, 1970; and

Whereas, pursuant to said section 22, the Secretary of Agriculture advised me there was reason to believe that the articles, for which import restrictions are hereinafter proclaimed, are being imported, and are practically certain to be imported, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk, or to reduce substantially the amount of products processed in the United States from domestic milk; and

Whereas, under the authority of said section 22, I requested the United States Tariff Commission to make an investigation with re-

spect to this matter; and

WHEREAS, the United States Tariff Commission has made an investigation under the authority of said section 22 with respect to this matter and has reported to me its findings and recommendations made in connection therewith; and

Whereas, on the basis of such investigation and report, I find and declare that the articles, for which import restrictions are hereinafter proclaimed, are being imported and are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective or materially interfere with the price support program now conducted by the Department of Agriculture for milk or to reduce substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, I find and declare that for the purpose of the first proviso of section 22(b) of the Agricultural Adjustment Act, as amended, the representative period for imports of such articles is the calendar

year 1970; and

Whereas, on the basis of such investigation and report, I find and declare that the imposition of the import restrictions hereinafter proclaimed is necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective or materially interfere with the price support program now conducted by the Department of Agriculture for milk or to reduce substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, I find and declare that the allocation of shares of the import quotas proclaimed herein among the countries of origin shall be

based upon the proportion of such articles supplied by such countries during the calendar year 1970, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned;

Now, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that:

1. Items 950.10B, 950.10C, 950.10D, and 950.10E of Part 3 of the Appendix to the Tariff Schedules of the United States are amended to read as follows:

Swiss or Emmenthaler cheese with eye formation; Gruyere-process cheese; and cheese and substitutes for cheese containing, or processed from, such cheeses: 950.10B Swiss or Emmenthaler cheese with eye formation;

(a) For the 12-month period ending December 31, 1972,
(1) if shipped otherwise than in pursuance to a purchase, or if having a purchase price per pound (see headnote 3(a) (iii) of this part) under 47 cents

The following quantities:

Country of Origin:	Quota Quantity
Austria	972, 000
Denmark	
Finland	
Norway	
Switzerland	
West Germany	
Other	
(2) if having a purchase price per pound (see head- note 3(a) (iii) of this part) of 47 cents or more, but less than the price determined in accordance with headnote 3(a) (v) of this	
shared all part	The quantity en-
1000	tered on or be-
POOLSES	fore the date of
000 200 F	this proclama-
000 3/8 (f	tion; plus the
000 203	following quan-
107, 000	titles:
47,100	
Country of Origin:	
Austria	4, 229, 000
Denmark	
Finland	
Norway	
Switzerland	
West Germany	
Netherlands I	110,000
Israel	
Other	31,000

if shipped otherwise than in pursuance to a purchase, or if having a purchase price per pound (see headnote 3(a)(iii) of this part) less than the price determined in accordance with headnote

3(a) (v) of this part\_\_

The following quantities:

	Quota Quantity
Country of Origin:	
Austria	
Denmark	
Finland	
Norway Switzerland	
West Germany	292, 000
Netherlands	
Israel	
Other	
950.10C Other than Swiss or Emmenthaler with eve formation	all to to A South
(a) For the 12-month period ending December 31, 1972,	
(1) if shipped otherwise than in pursuance to a	
purchase, or if having a purchase price per	
pound (see headnote 3(a)(iii) of this part)	
under 47 cents	The following
	quantities:
A company of the second of the	
Country of Origin:	
Austria	
Denmark	
Finland	
Switzerland West Germany	
Other	
Other	00, 000
note 3(a)(iii) of this part) of 47 cents or more, but less than the price determined in accordance with headnote 3(a)(v) of this part	The quantity en- tered on or be- fore the date of this proclama- tion, plus the following quan- tities:
	Quota Quantity
Country of Origin:	(In pounds)
Austria	538, 000
Denmark	1, 934, 000
Finland	
Switzerland	
West Germany	
Ireland	
Norway	
Other	
	11,000
(b) For each 12-month period beginning January 1, 1973, if shipped otherwise than in pursuance to a pur- chase, or if having a purchase price per pound (see headnote 3(a)(iii) of this part) less than the price determined in accordance with headnote	Variable State
3(a) (v) of this part	The following quantities:

Country of Origin:	Quota Quantity (In pounds)
Austria	1, 406, 000
Denmark	
Finland	
Switzerland	
West Germany	1, 818, 000
Ireland	210, 000
Norway	
PortugalOther	
	110,000
950.10D Cheeses and substitutes for cheese provided for in items 117.75 and 117.85, part 4C, schedule 1	
(except cheese not containing cow's milk; cheese,	
except cottage cheese, containing 0.5 percent or	
less by weight of butterfat, and articles within	
the scope of other import quotas provided for in this part:	
<ul> <li>(a) For the 12-month period ending December 31, 1972,</li> <li>(1) if shipped otherwise than in pursuance to a pur-</li> </ul>	
chase, or if having a purchase price per pound (see headnote 3(a) (iii) of this part) under	
47 cents	The following
***************************************	quantities:
	Quota Quantity
Country of Origin:	(In pounds)
Belgium	
Denmark	
FinlandFrance	
Iceland	
	<b>Quota Quantity</b>
Country of Origin:	(In pounds)
Ireland	151, 000
Netherlands	56, 000
Norway	222, 000
Poland	- T - T - T - T - T - T - T - T - T - T
Sweden	
Switzerland	1276.000
United Kingdom	
West Germany	
New Zealand	7, 500, 000
Other	388, 000
(2) if having a purchase price per pound (see head- note 3(a) (iii) of this part) of 47 cents or	
more, but less than the price determined in	
accordance with headnote 3(a) (v) of this	
	The quantity on
part	The quantity en-
	tered on or be-
	fore the date of
	this proclama-
	tion, plus the
	following quan-
	tities:

Quota Quantity

and A Department and Au-	Quota Quantity
Country of Origin:	(In pounds)
Belgium	153, 000
Denmark	4, 581, 000
Finland	67, 000
France	1, 138, 000
Ireland	6,000
Netherlands	213, 000
Norway	78, 000
Sweden	100, 000
Switzerland	106, 000
United Kingdom	129,000
West Germany	
New Zealand	33, 000
Canada	
Portugal	
Austria	1.417.
Italy	
Israel	
Other	
Other same same same same same same same same	
(b) For each 12-month period beginning January 1, 1973,	American Property
if shipped otherwise than in pursuance to a pur-	- content of
	Trenegri
handwate 9(a) (itt) of this mouth loss than the males	bristery
	France
determined in accordance with headnote 3(a) (v)	The following
	quantities:
(spice 6 sc)	quantitates.
101,000	Quota Quantity
Country of Origin:	(In pounds)
Belgium	469, 000
Denmark	16, 820, 000
Finland	
France	and the second s
Iceland	
Ireland	
Netherlands	
Norway	
Poland	
Sweden	
Switzerland	
United Kingdom	
West Germany	
New Zealand	
Canada	
Portugal	
Austria	
Italy	17, 000
Israel	
Other	288, 000

950.10E. Cheese, and substitutes for cheese, containing 0.5 percent or less by weight of butterfat, as provided for in items 117.75 and 117.85 of subpart C, part 4, schedule 1, except articles within the scope of other import quotas provided for in this part if shipped otherwise than in pursuance to a purchase, or if having a purchase price per pound (see headnote 3(a) (iii) of this part) less than the price determined in accordance with headnote 3(a) (v) of this part\_\_\_\_\_\_\_\_

C

The following quantities:

A COLUMN TO THE PARTY OF THE PA	ota Quantity
Country of Origin:	In pounds)
Denmark	- 6, 680, 000
United Kingdom	_ 791, 000
Ireland	756, 500
West Germany	100,000
Poland	
Australia	123, 600
Iceland	64, 300
Other	None

- 2. Headnote 3(a) of Part 3 of the Appendix to the Tariff Schedules of the United States is amended by adding a new subdivision as follows:
- (v) For the purpose of items 950.10B through 950.10E, the price referred to therein, to be determined in accordance with this subdivision, shall be the Commodity Credit Corporation purchase price for Cheddar cheese, U.S. Grade A or higher, standard moisture basis, under the milk price support program, rounded to the nearest whole cent, plus 7 cents, which price shall be determined by the Secretary of Agriculture, certified to the Secretary of the Treasury, and published in the Federal Register. A change of price determined in accordance with this subdivision shall not cause an article to be subject to the import restrictions contained in this part if, on or before the date of publication in the Federal Register of the change of price, such article was exported to the United States on a through bill of lading or placed in bonded warehouse.
- 3. Articles, subject to the quotas provided for herein, having a purchase price of 47 cents or more, which on or before the effective date of this proclamation were exported to the United States on a through bill of lading or placed in bonded warehouse, shall not be denied entry during the calendar year 1972 under the import restrictions herein proclaimed.
- 4. Notwithstanding headnote 3(a) (i) of the Appendix to the Tariff Schedules of the United States, import licenses shall not be required for the entry into the United States during the calendar year 1972 of

articles subject to the quotas provided for herein having a purchase price of 47 cents or more.

5. The provisions of this proclamation shall become effective upon

publication in the FEDERAL REGISTER.

IN WITNESS WHEREOF, I hereunto set my hand this third day of June, in the year of our Lord nineteen hundred seventy-two and of the Independence of the United States of America the one hundred ninety-sixth.

RICHARD NIXON.

## (T.D. 72-216)

## Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 14, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Apache Motor Freight, Inc., 6863 Middlebelt Rd., Inkster, Mich., motor carrier; Continental Casualty Co. D 8/20/72	April 9, 1968	May 7,1968	Detroit, Mich.; \$25,000
Blue Ribbon Express, Inc., 201 11th Ave., New York, N.Y., freight forwarder; Hartford Accident & In- demnity Co. (PB 7/21/67) D 6/28/72 1	June 28, 1972	June 28, 1972	New York Sea- port; \$50,000
Carolina Freight Carriers Corp., Cherryville, N.C., motor carrier; The Home Indemnity Co. (PB 10/30/57) D 7/17/72	June 15, 1972	June 18, 1972	Wilmington, N.C.; \$50,000
Custom Cartage Co., 643 W. 59th St., New York, N.Y., motor carrier, American Motorists Ins. Co.	July 13, 1972	July 13, 1972	New York Seaport \$50,000
Dennis Trucking Co., Inc., 2519 Morris St., Philadel- phia, Pa., motor carrier; General Ins. Co. of America	June 30, 1972	June 30, 1972	Philadelphia, Pa.; \$50,000
DeRosa Transportation, Inc., 2278 S. Union Ave., Chicago, Ill., motor carrier; Hartford Accident & Indemnity Co. D 7/18/72	Jan. 12, 1961	Feb. 14, 1961	Detroit, Mich.; \$30,000
Engel Trucking, Inc., 1240 Emmitt Rd., Akron, Ohio, motor carrier; The Travelers Indemnity Co. D 7/7/72	Jan. 18, 1971	June 2,1971	Cleveland, Ohio; \$35,000
See footnotes at end of table.			

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Free State Truck Service, Inc., 10 Vernon Ave., Glen Burnie, Md., motor carrier; Fidelity & Deposit Co. of Md.	July 1,1972	July 28, 1972	Baltimore, Md.; \$25,000
Glenn Cartage Co., 860 Terminal Tower, Cleveland, Ohlo, motor carrier; Hartford Accident & Indemnity Co. D 7/21/72	Mar. 28, 1969	May 1,1969	Cleveland, Ohio; \$30,000
Groendyke Transport, Inc., P.O.B. 632, Enid, Okla., motor carrier; Mid-Century Ins. Co.	June 1,1972	July 7, 1972	St. Louis, Mo.; \$15,000
Holmes Transportation, Inc., 500 Cochituate Rd., Framingham, Mass., motor carrier; St. Paul Fire & Marine Ins. Co.	Mar. 16, 1972	July 19,1972	St. Albans, Vt.; \$25,000
Houston Barge Line, Inc., 2400 First City National Bank Bidg., Houston, Tex., water carrier; Aetna Casualty & Surety Co.	June 29,1972	July 6, 1972	Houston, Tex.; \$50,000
Jones Transfer Co., 300 Jones Ave., Monroe, Mich., motor carrier; Aetna Casualty & Surety Co. (PB 7/15/59) D 7/28/72 2	July 15, 1972	July 28, 1972	Detroit, Mich.; \$50,000
Kale Equipment Rental Co., Inc., Milnor & Bleigh Sts., Philadelphia, Pa., motor carrier; General Ins. Co. of America	July 20, 1972	July 25, 1972	Philadelphia, Pa.; \$50,000
Kenosha Auto Transport Corp., Kenosha, Wis., motor carrier; Newark Ins. Co. (PB 1/18/68) D 5/4/72 3	May 5, 1972	July 17, 1972	Milwaukee, Wis.; \$25,000
Leyman Transport, Inc., 24-02 St. Alturas de Falm- boyan, Bayamon, P.R., motor carrier; St. Paul Fire & Marine Ins. Co.	Apr. 28, 1972	July 18, 1972	San Juan, P.R.; \$25,000
Lift Van Transport Co., Inc., 530 Duncan Ave., Jersey City, N.J., motor carrier; Peerless Ins. Co. (PB 7/26/70) D 7/26/72 4	July 26, 1972	July 28, 1972	New York Seaport \$50,000
Andrew McDermott, Inc., 222 Murray St., Newark, N.J., motor carrier; The Travelers Indemnity Co. (PB 4/8/69) D 7/12/72	June 14, 1972	July 12, 1972	Philadelphia, Pa.; \$50,000
Parent Cartage Ltd., 525 Hill St., Windsor, Ontario, Mich., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 10/17/88) D 7/28/72	July 20, 1972	July 28, 1972	Detroit, Mich; \$50,000
Pyramid Van Lines, Inc., & Golden Gate Van Lines, Inc., 479 S. Airport Blvd., San Francisco, Calif., motor carrier; General Ins. Co. of America	May 10, 1972	June 2, 1972	San Francisco, Calif.; \$25,000
Seacoast Transportation Co., 3600 W. Broad St., Richmond, Va., motor carrier; Federal Ins. Co.	May 12, 1972	July 20, 1972	Norfolk, Va.; \$50,000
Suddath Van Lines, Inc., P.O.B. 6699, Jacksonville, Fla., motor carrier; Mid-Century Ins. Co. D 7/3/72	Dec. 18, 1969	Mar. 26, 1970	Tampa, Fla.; \$25,000
Transportes Perla del Sur., 78 Hostos Ave., Ponce, P.R., motor carrier; St. Paul Fire & Marine Ins. Co. D 7/11/72		May 20, 1969	San Juan, P.R.; \$25,000
Vancouver Ocean Terminals Ltd., Foot of Clark Dr., Vancouver 6, B. C., Canada, motor carrier; General Ins. Co. of America		July 24, 1972	Seattle, Wash.; \$25,000

(241.2)

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings.

Surety is The Home Indemnity Co.
 Surety is The Ohio Casualty Ins. Co.
 Surety is Employers Commercial Union Ins. Co. of America

Surety is American Casualty Co. of Reading, Pa.
 Surety is Liberty Mutual Ins. Co.

## (T.D. 72-217)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., August 15, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c) Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

7) 1	1
Denmark	zrono.
Dominary	MI OHO.

Domination Michigan		
August 7, 1972	\$0.1437	
August 8, 1972		
August 9, 1972		
August 10, 1972		
August 11, 1972	.14375	
Hong Kong dollar: Official	Free	
July 10, 1972 \$0.1750	Not available	
July 11, 1972 1760	27 29	
July 12, 1972 1750	" "	
July 13, 1972 1750	" "	
July 14, 1972 1740	" "	
Iran rial:		
July 31, 1972	\$0.0130	
August 1, 1972		
August 2, 1972		
August 3, 1972		
August 4, 1972		
Philippine peso:		

## Philippine peso:

For the period July 31 through August 4, 1972, rate of \$0.1465.

## Thailand baht (tical):

THE PERIOD COLORS !	
July 31, 1972\$	80.0477
August 1, 1972	. 0477
August 2, 1972	. 0479
August 3, 1972	. 0479
August 4, 1972	. 0479
342.211)	
12:21)	

EDWIN F. RAINS,

Acting Commissioner of Customs.

(T.D. 72–218)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 14, 1972.

The following are synopses of drawback rates and amendments issued July 11 to August 3, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

Salvatore E. Caramagno,
Acting Assistant Commissioner,
Office of Regulations and Rulings.

(A) Aircraft engines, jet; spare parts (including subassemblies); and kits.—T. D. 37886-C, as amended, and particularly as amended by T.D. 66-60-A, covering (1) jet aircraft engines, jet aircraft engine subassemblies, and finished aircraft engine deflector blades manufactured under section 1313(a) by General Electric Co., Schenectady, N.Y., at its West Lynn, Mass., and Rutland, Vt., factories, with the use of imported or drawback aircraft engine parts and subassemblies; and (2) jet aircraft engines and jet aircraft engine subassemblies manufactured under section 1313(b) by the said company at its above factories, with the use of transfer gear boxes, accessory gear boxes, and stage #1 aircraft engine buckets, further amended to cover (1) jet aircraft engines, spare parts (including subassemblies), and kits manufactured under section 1313(a) by the said company at its factories located at West Lynn, Mass., and Evendale, Ohio, with the use of additional imported or drawback aircraft engine parts and assemblies; and (2) jet aircraft engines, spare parts (including subassemblies), and kits manufactured under section 1313(b) by the said company at its factories located at West Lynn, Mass., and Evendale, Ohio, with the use of additional jet aircraft engine parts.

Amendment effective on articles manufactured and exported on and after November 22, 1971.

Supplemental statement of May 19, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 18, 1972.

(B) Antibiotic pharmaceuticals, capsules or bulk mix.—Manufactured under section 1313(b) by Bristol Laboratories, Div. of Bristol-Myers Co., East Syracuse, N.Y., with the use of phenazopyridine hydrochloride (3-phenylazo-2,6-diaminopyridine hydrochloride).

Rate effective on articles manufactured on and after January 29, 1969, and exported on and after February 19, 1969.

Drawback statements of May 15 and July 10, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 26, 1972.

(C) Antibiotics.—T.D. 52031-B, as amended, authorizing the allowance of drawback on, among other things, antibiotics, known as Keflin and Keflordin, manufactured under the provisions of section 1313(b) by Eli Lilly and Co., Indianapolis, Ind., at its Indianapolis, Lafayette, and Greenfield, Ind., factories, with the use of methionine feed grade, further amended to cover (1) additional antibiotics (MS 201, pulvule 402, tablet 1895, cephalexin monohydrate special, cephalexin monohydrate for pulvules and cephalexin monohydrate oral suspension), manufactured under section 1313(b) by the company at its Indianapolis, Lafayette, Greenfield, and Clinton, Ind., factories, with the use of para-nitrobenzyl bromide, para-nitrobenzyl ester of penicillin V sulfoxide, or para-toluenesulfonic acid; and (2) cephalexin monohydrate oral suspension manufactured by the company under the provisions of section 1313(b) at the stated factories with the use of penicillin V or penicillin V potassium.

Amendment effective on articles which are manufactured on and

after June 1, 1970, and exported on and after July 15, 1970.

Supplemental statements of October 28, 1971, March 8, 1972, April 6, 1972, and April 11, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., August 1, 1972.

(D) Fruit cocktail and fruit for salad.—T.D. 66–247–L, as amended by T.D. 72–116–J, covering the foregoing articles manufactured under section 1313(b) by Tri-Valley Growers, San Francisco, Calif., at its factories located at San Jose, Stockton, and Modesto, Calif., with the use of pineapple tidbits, further amended to cover the above articles manufactured at Stockton and Modesto, Calif., with the use of artificially colored cherry halves and whole maraschino cherries.

Amended effective on articles manufactured and exported on and

after January 1, 1968.

Plants located at San Jose, Calif., and at 1943 Fremont St., Stockton, Calif., deleted.

Manufacturer's statements of March 23 and June 27, 1972, forwarded to Regional Commissioner of Customs, San Francisco, Calif., August 3, 1972.

(E) HB-40 (partially hydrogenated terphenyl).—Manufactured under section 1313(b) by Monsanto Co., at its Anniston, Ala., factory, with the use of crude terphenyl.

Rate effective on articles manufactured on and after August 28, 1971, and exported on and after September 1, 1971.

Manufacturer's statements of December 23, 1971, and June 13, 1972, forwarded to Regional Commissioners of Customs, Chicago, Ill., and New York, N.Y., August 2, 1972.

(F) Lead sulfide, high grade.—T.D. 68-278-G, as amended by T.D. 71-201-H, covering, among other things, leady zinc concentrates manufactured under section 1313(b) by Eagle-Picher Industries, Inc., Cincinnati, Ohio, at its Cardin, Okla., factory, with the use of zinc and lead recovered from zinc sediment, further amended to cover high grade lead sulfide manufactured by the company under section 1313 (b), at the company's Galena, Ill., factory, with the use of lead ore or lead concentrates.

Amendment effective on articles manufactured on and after August 1, 1971, and exported on and after August 15, 1971.

Supplemental statement of June 12, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., July 12, 1972.

(G) Locomotives and locomotive parts (traction motors).—Manufactured under section 1313(b) by General Electric Co., Schenectady, N.Y., at its Erie, Pa., factory, with the use of commutator caps and commutator shells.

Rate effective on articles manufactured on and after November 27, 1970, and exported on and after January 30, 1971.

Manufacturer's statements of March 31 and June 29, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 26, 1972.

(H) Oleoresins and blended oleoresins.—T.D. 54990-E, as amended by T.D. 66-60-K, covering, among other things, oleoresins manufactured under section 1313(a) by Kalamazoo Spice Extraction Co., Kalamazoo, Mich., with the use of imported chillies (capsicum), ground or not ground, further amended to cover oleoresins and blended oleoresins manufactured under section 1313(b) with the use of chillies (capsicum) or paprika, and finished oleoresins manufactured under section 1313(b) with the use of semi-finished oleoresins.

Amendment effective on articles manufactured and exported on and after January 1, 1970.

Supplemental statements of April 10, and June 14, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., August 1, 1972.

(I) Orange juice, pasteurized.—T.D. 72-55-B, covering frozen concentrated orange juice, concentrated orange juice for manufacturing (palatable), pasteurized orange juice, and orange juice from concen-

trate, manufactured under section 1313(b), by Southern Gold Citrus Products, Inc., Orlando, Fla., with the use of concentrated orange juice for manufacturing (unpalatable), hereby amended to delete pasteurized orange juice from the list of products on which drawback will be allowed and to modify the basis on which drawback is to be claimed.

Amendment effective on articles manufactured on and after July 29,

1971, and exported on and after August 2, 1971.

Manufacturer's statements of May 24, 1972, and July 5, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., July 17, 1972.

(J) Penicillin compounds.—Manufactured under section 1313(b) by Beecham Inc., Clifton, N.J., at its factory located at Piscataway, N.J., with the use of potassium penicillin G.

Rate effective on articles manufactured and exported on and after

April 10, 1970.

Manufacturer's statement of June 30, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 26, 1972.

(K) Polyester polymer chip and polyester fiber products.—Polyester polymer chip and polyester polymer fiber products manufactured under section 1313(b) by Fiber Industries, Inc., Charlotte, N.C., at the company's Fiberton and Earl, N.C., factories, with the use of ethylene glycol and terephthalic acid; and on polyester fiber products manufactured by the company under section 1313(b) at the said factories with the use of polyester polymer chip.

Rate effective on articles manufactured and exported on and after

October 23, 1969.

Manufacturer's statements of April 30, 1971, April 3, 1972, and June 9, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 11, 1972.

(L) Pumps, impeller and impeller and reservoir pump assemblies.— Manufactured under section 1313(a) by McCord General Products Div., McCord Corp., Detroit, Mich., at its Cookeville, Tenn., and Bethlehem, Pa., factories, with the use of imported direct current electric motors, and manufactured under section 1313(b) at the said factories with the use of direct current electric motors.

Rate effective on articles manufactured on and after August 20, 1969,

and exported on and after September 17, 1969.

Manufacturer's drawback statements of March 10, 1971, and July 14, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., July 26, 1972.

(M) Red yttrium oxide and red yttrium oxysulfide.—T.D. 52303-J, as amended, and as particularly amended by T.D. 68-68-T, covering, among other things, red yttrium vanadate, yttrium orthovanadate, and fluorescent powder manufactured under section 1313(b) by GTE Sylvania, Inc., New York, N.Y., at its Towanda, Pa., factory, with the use of yttrium oxide, europium oxide, and gallium oxide, further amended to cover red yttrium oxide and red yttrium oxysulfide manufactured under section 1313(b) at the said factory with the use of yttrium oxide and europium oxide.

Amendment effective on articles manufactured on and after Decem-

ber 16, 1971, and exported on and after December 29, 1971.

Manufacturer's statement of June 2, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 21, 1972.

(N) Stampings and assemblies, metal, automobile and truck.— Manufactured under section 1313(b) by Hawthorne Metal Products Co., Royal Oak, Mich., with the use of cold and hot rolled steel sheet. Rate effective on articles manufactured on and after March 14, 1972.

and exported on and after March 21, 1972.

Manufacturer's statement of May 2, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., July 28, 1972.

(O) Tape, hot stamp.—Manufactured under section 1313(b) by Thermark Corp., Schererville, Ind., with the use of polyester film.

Rate effective on articles manufactured on and after November 30,

1971, and exported on and after March 16, 1972.

Manufacturer's drawback statement of June 7, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 26, 1972.

(P) Transformers and parts.—T.D. 37886-C, as amended, covering, among other things, electric motors, machines, cables, wire, apparatus, appliances, and parts thereof manufactured by General Electric Co., Schenectady, N.Y., at its various factories, with the use of copper, further amended to cover transformers and parts manufactured under section 1313(b) by the company at its Rome, Ga., factory, with the use of carlite coated core steel and steel plate.

Amendment effective on articles manufactured and exported on and

after March 10, 1972.

Supplemental statement of May 2, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., July 11, 1972.

(Q) Wool, scoured; and sorted wool.—Manufactured under section 1313(b) by Hart, Inc., Boston, Mass., with the use of grease wool through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured on and after June 1, 1971, and exported on and after July 1, 1971.

Manufacturer's statement of July 21, 1971, forwarded to Regional

Commissioner of Customs, Boston, Mass., July 12, 1972.

(R) Wool, sorted; and wool top.—Manufactured under section 1313(b) with the use of grease wool by the Donahue-Draper Corp., Boston, Mass, through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured on and after November 4,

1971, and exported on and after November 8, 1971.

Manufacturer's statement of December 28, 1971, forwarded to Regional Commissioner of Customs, Boston, Mass., July 20, 1972.

(S) Wool top.—Manufactured under section 1313(b) by Amicale Trading Co., Div. of Amicale Industries, Inc., New York, N.Y., with the use of scoured wool through its agents operating under rates of drawback established under section 1313(b).

Rate effective on articles manufactured and exported on and after

March 15, 1972.

Manufacturer's statement of April 19, 1972, forwarded to Regional Commissioners of Customs, Boston, Mass., and New York, N.Y., August 3, 1972.

#### (T.D. 72-219)

#### Cotton textiles-Restriction on entry

Restriction on category 60, cotton textile products, manufactured or produced in Sri Lanka (Ceylon)

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., August 17, 1972.

There is published below the directive of August 1, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 60 manufactured or produced in Sri Lanka (Ceylon).

This directive was published in the Federal Register on August 4, 1972 (37 F.R. 15752), by the Committee for the Implementation

of Textile Agreements.

(343.3)

G. R. DICKERSON,
Acting Commissioner of Customs.

# U.S. DEPARTMENT OF COMMERCE OFFICE OF TEXTILES WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 1, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective August 3, 1972, and for the twelve-month period extending through August 2, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 60, produced or manufactured in Sri Lanka (Ceylon), in excess of a level of restraint for the period of 20,323 dozen.

In carrying out this directive, entries of cotton textile products in Category 60, produced or manufactured in Sri Lanka, which have been exported to the United States from Sri Lanka prior to August 3, 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period August 3, 1971, through August 2, 1972. In the event that the level of restraint established for that twelve-month period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

A detailed description of Category 60 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Sri Lanka and with respect to imports of cotton textiles and cotton textile products from Sri Lanka have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making

provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-220) I sait lo amrei ed raba I

1902, including Article they the should better to remaind and and

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 17, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
Airlift International, Inc. (Fla. Corp.), P.O.B. 835, Miami, Fla.; Peerless Ins. Co. (PB 7/20/67) D 7/20/72 I	July 20, 1972	July 25, 1972	Chicago, Ill.; \$300,000

<sup>&</sup>lt;sup>1</sup> Surety is St. Paul Fire & Marine Ins. Co.

The foregoing principal has been designated as a carrier of bonded merchandise.

(232.1)

Salvatore E. Caramagno, Acting Assistant Commissioner, Office of Regulations and Rulings.

#### (T.D. 72-221)

Articles exported and returned—Customs Regulations amended

Duty-free entry of reimported articles; section 10.8a added

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I—BUREAU OF CUSTOMS

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

On May 12, 1972, a notice of proposed rule making was published in the Federal Register (37 F.R. 9564) which proposed to add a new section 10.8a to the Customs Regulations to require supplementary documentation to support free entry under certain conditions for imported articles which are exported and thereafter reimported into the United States for failure to conform to sample or specifications abroad.

No comments were filed in response to the notice of proposed rule making. The following changes are made in the text of the proposed amendment:

1. Paragraph (b)(1) of section 10.8a is altered by inserting the following after the word "specifications" in the text of the declaration:

for the following reasons:

This change provides that persons who return articles exported from the United States claiming duty-free status on the grounds that these articles did not conform to a sample or specification identify the nature of the alleged nonconformity.

2. Editorial changes are made in paragraph (b) (2) of section 10.8a in that portion of the declaration form which concerns exportation from the United States. The phrase "Date of Entry" is altered by deleting the word "entry" and substituting the word "exportation." Further, the phrase "Name and dress of exporter is changed by correcting the word "dress" to read "address."

Accordingly, proposed section 10.8a is hereby adopted as set forth below.

 $\it Effective\ date.$  This amendment shall become effective 30 days after publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved August 17, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register August 29, 1972 (37 F.R. 17469)]

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Part 10 is amended by adding a new section 10.8a reading as follows:

§ 10.8a Imported articles exported and reimported.—(a) In addition to regular entry procedures, supplementary documentation is required in connection with duty-free entries under item 801.10, Tariff Schedules of the United States (19 U.S.C. 1202), of articles which were originally entered duty paid, removed from Customs custody, and subsequently exported, if:

(1) The articles were exported within 3 years after the date

of the previous importation.

(2) The articles were not advanced in value or improved in condition by any process of manufacture or other means while abroad.

(3) The articles did not conform to sample or specifications

abroad.

(4) The articles are reimported by or for the account of the person who imported them into and exported them from the United States.

(b) The following supplementary documents shall be filed in connection with the entry of articles claimed to be free of duty under item 801.10, Tariff Schedules of the United States:

(1) A declaration by the person abroad who received and is returning the merchandise to the United States, in substantially the following form:

I declare that the	were
	(Description of articles)
	ame and address of United States exporter)
	ure or other means and are being returned because
(Name and address of	consignee in the United States)
they do not conform to so reasons:	ample or specifications for the following
(Date)	(Signature)
(Address)	(Title)

I declare th	at the	The second second second
(Name of port)	ly imported into the Unite , Entry No, or	(Date of entry)
that they w	ddress of importer) vere exported from the  (Name of port)	Date of exportation) by
(Name and ad the articles	dress of exporter) are being reimported by, and, that the at is correct i	tached declaration from
(Name of fe	oreign shipper)	
	(Date)	(Signature)
	(Address)	(Title)

(c) If the district director concerned is reasonably satisfied because of the nature of the articles or production of other evidence that the requirements of item 801.10, Tariff Schedules of the United States, and the related headnotes have been met, he may waive the production of the documents provided for in paragraph (b) of this section.

(R.S. 251, as amended, secs. 484, 624, 46 Stat. 722, as amended, 759; 77A Stat. 14; 19 U.S.C. 66, 1202 (Gen. Hdnte. 11), 1484, 1624.)

#### (T.D. 72-222)

#### Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textile products manufactured or produced in Malaysia

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 22, 1972.

There is published below the directive of July 31, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, amending levels of restraint for certain categories of cotton textile products manufactured or produced in Malaysia, contained in the President's Cabinet Textile Advisory Committee directive of August 26, 1971 (T.D. 71–240).

The directive of July 31, 1972, was published in the Federal Register on August 2, 1972 (37 F.R. 15445), by the Committee for the Implementation of Textile Agreements.

(343.3)

Edwin F. Rains, Acting Commissioner of Customs.

### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

To craft will be extend bottom I add out how one July 31, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On August 26, 1971, the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Malaysia during the twelve-month period beginning September 1, 1971, in excess of designated levels of restraint. The Chairman further advised you that in the event that there were any adjustments <sup>1</sup> in the levels of restraint, you would be so informed by letter.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraphs 5 and 8 of the bilateral cotton textile agreement of September 8, 1970, as amended, between the Governments of the United States and Malaysia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of August 26, 1971, for cotton textile products in Categories 50 and 55, produced or manufactured in Malaysia, as set forth below:

Category		Twelve-Month	Le	vel	of	Restraint			
12	50	111	11		28,81	3	do	zer	1
	55				20,74	15	do	zen	1

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall

<sup>&</sup>lt;sup>1</sup>The term "adjustments" refers to those provisions of the bilateral cotton textile agreement of September 8, 1970, as amended, between the Governments of the United States and Malaysia which provide in part that, within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register. Sincerely yours,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-223)

Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 23, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Apache Motor Freight, 30465 Ecorse Rd., Romulus, Mich., motor carrier, Insurance Co. of North America.	July 20, 1972	Aug. 3,1972	Detroit, Mich.; \$50,000
America.  Associated Truck Lines, 200 Monroe, N.W., Grand Rapids, Mich., motor carrier; Peerless Ins. Co. (PB 10/9/52) D 8/2/72 1	July 19, 1972	Aug. 2,1972	Detroit, Mich.; \$50,000
B & T Transportation Co., Inc., 200 Frontage Rd., Boston, Mass., motor carrier; Peerless Ins. Co. (PB 4/1/68) D 7/26/72 2	June 26, 1972	June 26, 1972	Boston, Mass.; \$50,000
Boss Linco Lines, Inc., 1 West Genessee St., Buffalo, N.Y., motor carrier; Aetna Casualty & Surety Co. (PB 5/21/68) D 7/31/72 <sup>3</sup>	May 26, 1972	July 31, 1972	Buffalo, N.Y.; \$40,000
D & S Freight Service, Inc., 524 "C" St., Boston, -Mass., motor carrier; Federal Ins. Co. (PB 12/17/70) D 6/24/72 4	June 24, 1972	June 24, 1972	
E & L Trucking Co., 117 Webster St., Pawtucket, R.I., motor carrier; General Ins. Co. of America	May 8, 1972	Aug. 1, 1972	Providence, R.I.; \$25,000
Executive Airlines, Inc., Logan Int'l Airport, East Boston, Mass., air carrier; St. Paul Fire & Marine Ins. Co.	Feb, 22,1971	July 21, 1971	Boston, Mass.; \$50,000
D 6/6/72 See footnotes at end of table.	7837 um	f amotar	Bonds on

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Henry Gillen's Sons Lighterage, Inc., P.O.B. 7, Oyster Bay, N.Y., water carrier; Insurance Co. of North America (PB 3/10/72) D 8/7/72 *	Aug. 7, 1972	Aug. 7, 1972	New York Sea- port; \$50,000
Intermountain Fast Freight, 1426 E. Fourth St., Los Angeles, Calif., motor carrier; Transport Indemnity Co.	Jan. 7,1972	Feb. 4,1972	Los Angeles, Calif.; \$25,000
D 7/25/72 Wesley Marks d/b/a Marks Dispatch, 33 Earle St., Somerville, Mass., motor carrier; The Continental Ins. Co.	Feb. 9,1972	Aug. 1,1972	Boston, Mass.; \$25,000
Harris Wright & Harvey M. Miller t/a Mexi-Cana Motorways, Rodney, Ontario, Canada, motor earrier, U.S. Fidelity & Guaranty Co. D 8/14/72	June 6, 1956	July 20, 1956	Detroit, Mich.; \$10,000
Michigan Express, Inc., 34200 Mound Rd., Sterling Heights, Mich., motor carrier; St. Paul Fire & Marine Ins. Co.	June 8, 1972	July 31, 1972	Detroit, Mich.; \$50,000
R-W Service System, Inc., 4840 Wyoming, Dearborn, Mich., motor carrier; Insurance Co. of North America. (PB 41/87) D 8/9/72	Aug. 1, 1972	Aug. 9, 1972	Detroit, Mich.; \$50,000
Earl C. Smith, Inc., 1720 Dove Rd., Port Huron, Mich., motor carrier; Aetna Casualty & Surety Co. (PB 6/19/67) D 8/2/72	July 19, 1972	Aug. 2,1972	Detroit, Mich.; \$50,000
H. M. Trimble & Sons Ltd., P.O.B. 3800, Calgary, Alberta, Canada, motor carrier; Great American Ins. Co. D 9/8/72	April 9, 1971	May 11, 1971	Detroit, Mich.; \$25,000
Tucker Freight Lines, 1415 S. Olive St., S. Bend, In- dians, motor carrier; Protective Ins. Co. (PB 6/18/71) D 8/9/72	July 28, 1972	Aug. 9,1972	Detroit, Mich.; \$50,000
Weston Trucking Co., 111 "C" St., Encinitas, Calif., motor carrier; Royal Indemnity Co.	Aug. 9, 1972	Aug. 16, 1972	San Diego, Calif.; \$25,000

<sup>&</sup>lt;sup>1</sup> Surety is Hartford Accident & Indemnity Co.

(241.2)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-224)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 25, 1972.

Bonds on Customs Form 7587 for the control of instruments of

<sup>&</sup>lt;sup>2</sup> Principal is Boston & Taunton Transportation Co., Inc.

<sup>\*</sup> Surety is Seaboard Surety Co.

<sup>&</sup>lt;sup>4</sup> Surety is National Grange Mutual Ins. Co.

<sup>&</sup>lt;sup>5</sup> Surety is The Home Indemnity Co.

international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount New York Sea- port; \$10,000	
Atlantic Container Line, Ltd. (Bermuda Corp.), 80 Pine St., New York, N.Y.; Midland Ins. Co. (PB 8/14/67) D 8/15/72 1	Aug. 8, 1972	Aug. 15, 1972		
Bakke Steamship Corp., 650 Calif. St., San Francisco, Calif.; Peerless Ins. Co. (PB 8/6/69) D 8/5/72 <sup>3</sup>	Aug. 6, 1972	July 27, 1972	San Francisco, Calif.; \$10,000	
Baytex Div. of Baychem Corp. (N.J. Corp.), 425 Park Ave., New York, N.Y.; American Motorist Ins. Co.	July 28, 1972	Aug. 10, 1972	New York Sea- port; \$10,000	
Burns Bros., Inc. (N.Y. Corp.) (including its divi- sions Eller & Co. & Port Everglades Terminal Co.), 222 Varick St., Brooklyn, N.Y., Federal Ins. Co.	July 26, 1972	Aug. 3,1972	Miami, Fla.; \$10,000	
Cosmopolitan Shipping Co., Inc. (Del. Corp.), 1 World Trade Center, New York, N.Y.; Peerless Ins. Co.	Aug. 11, 1972	Aug. 11, 1972	New York Sea- port; \$10,000	
Harlo-Air Cargo Brokers, Inc. (N.Y. Corp.), 52 Broadway, New York, N.Y.; Peerless Ins. Co. (PB 5/4/67) D 8/14/72 *	Aug. 10, 1972	Aug. 14, 1972	New York Sea- port; \$10,000	
A. Kemp Fisheries, Inc., 24 N. 1st Ave., W., Duluth, Minn.: St. Paul Fire & Marine Ins. Co.	July 18, 1972	Aug. 3, 1972	Duluth, Minn.; \$10,000	
Pacific International Freightliners, Board of Trade Bldg., Portland, Ore.; St. Paul Fire & Marine Ins. Co.	Aug. 4, 1972	Aug. 7, 1972	Portland, Ore.; \$10,000	
Saccani Distributing Co., 2600 Fifth St., Sacramento, Calif.; St. Paul Fire & Marine Ins. Co.	July 26, 1972	Aug. 11, 1972	San Francisco, Calif.; \$10,000	

<sup>1</sup> Surety is American Casualty Co.

(542.113)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-225)

Cotton textiles—Restriction on entry

Restriction on certain categories of cotton textile products manufactured or produced in Costa Rica

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 25, 1972.

There is published below the directive of August 2, 1972, received

<sup>3</sup> Surety is Reliance Ins. Co.

<sup>3</sup> Principal is Harlo Expediters Inc

by the Commissioner of Customs from the Committee for the Implementation of Textile Agreements, amending the levels of restraint for categories 53 and 61 cotton textile products, manufactured or produced in Costa Rica, contained in the President's Cabinet Textile Advisory Committee directive of November 29, 1971 (T.D. 72-14).

The directive of August 2, 1972, was published in the Federal Register on August 5, 1972 (37 F.R. 15889), by the Committee for the

Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 2, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directive issued to you on November 29, 1971 from the Chairman, President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textile products in Categories 53 and 61 produced or manufactured in Costa Rica.

Effective as soon as possible, the first paragraph of the directive of November 29, 1971 is amended to read as follows:

"Under the terms of Article 3 of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible and for the twelve-month period beginning October 1, 1971 and extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Categories 53 and 61, produced or manu-

Beenfording on gordally entered to action to collect accounts account with

factured in Costa Rica, in excess of the following adjusted levels of restraint:

Adjusted Twelve-Month Levels

Category of Restraint 

53 30,870 dozen
61 75,231 dozen"

The actions taken with respect to the Government of Costa Rica and with respect to imports of cotton textile products from Costa Rica have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

# (T.D. 72-226)

Man-made fiber textile products—Restriction on entry

Restriction on entry of man-made fiber textile products in category 224 manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 28, 1972.

There is published below the directive of August 11, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, regarding the prohibition on category 224 man-made fiber textile products manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on August 15, 1972 (37 F.R. 16516), by the Committee for the Implementation of Textile Agreements.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 11, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 224, produced or manufactured in the Republic of Korea.

Entries of man-made fiber textile products in the above category produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not

be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register

on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to

the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-227)

Cancellation with prejudice of Customhouse Broker's License No. 3412, issued to J. B. Wood Shipping Co., Inc., Baltimore, Maryland

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 29, 1972.

Notice is hereby given that the Commissioner of Customs on August 29, 1972, pursuant to section 641, Tariff Act of 1930, as amended, and section 111.51(b), Customs Regulations, as amended, upon the specific request of J. B. Wood Shipping Co., Inc., canceled with prejudice customhouse broker's license No. 3412 issued to it on March 26, 1962, for Customs Collection District No. 13 (now the Customs District of Baltimore). The Commissioner's decision is effective as of August 29, 1972.

(346.11)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register September 1, 1972 (37 F.R. 17859)]

(T. D. 72-228)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 22, 1972.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and

use of Customs officers and other concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

-	
Denmark	zpono .
Deminark	KIUHG.

August 14, 1972	\$0.14415
August 15, 1972	. 144575
August 16, 1972	. 144475
August 17, 1972	. 144525
August 18, 1972	. 14485

Hor	ng Ko	ng d	dollar:	Official		Free
	July	17,	1972	\$0.1750	Not	Available
	July	18,	1972	. 1750	"	"
	July	19,	1972	. 1755	"	
. 1	July	20,	1972	. 1755	"	"
930 F 10	Tuly	01	1079	1755	"	. ,,

Dream control of the Table

#### Iran rial .

August 7, 1972	\$0.0130
August 8, 1972	. 0131
August 9, 1972	.0131
August 10, 1972	. 0128
August 11, 1972	. 0129

#### Philippine peso:

For the period August 7 through 11, 1972, rate of \$0.1465.

#### Thailand baht (tical):

August 7, 1972	\$0.0479
August 8, 1972	. 0480
August 9, 1972	. 0479
August 10, 1972	. 0478
August 11, 1972	.0478
342.211). Ille Stell, it administrate to the in the rest of the	of hadelide

EDWIN F. RAINS,
Acting Commissioner of Customs.

#### (T. D. 72-229)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 22, 1972.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified

N ((d)) --

buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4. Customs Regulations (19 CFR 16.4).

#### Denmark krone:

August	21,	1972	\$0.14465
August	22,	1972	. 14485
August	23,	1972	. 144925
August	24,	1972	. 1449
August	25.	1972	. 14495

Hong Kong dollar:	Official	nent salviere	Free
July 24, 1972	\$0.1755	Not	Available
July 25, 1972	. 1760	27	St will be week at a St.
July 26, 1972	. 1730	"	Manelal Lange
July 27, 1972	. 1740	"	1
July 28, 1972	. 1740	Stylenes, b	(B) Eugalifficei

#### Iran rial:

August 14, 1972	\$0.0131
August 15, 1972	
August 16, 1972	Line the least of the 10128 T , walv
August 17, 1972	0129
August 18, 1972	Oblatt de la Manuel A 10.0128 Cla a a O
Philippine peso:	Amendment effection on articles (

For the period August 14 through August 18, 1972, rate of \$0.1465

#### Thailand baht (tical):

August 14, 1972	\$0.0479	
August 15, 1972	. 0479	
August 16, 1972	. 0478	
August 17, 1972	. 0478	
August 18, 1972	. 0478	
0.011)		

EDWIN F. RAINS. Acting Commissioner of Customs.

(D) Clacks, triacelling and other, complete: watch, healths, went matches; and digital electric clocks,—T.D. 20070-1, as agreeded by (T.D. 72–230)

# Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., August 28, 1972.

The following are synopses of drawback rates and amendments 496-798-74-29

issued January 17, 1967, to May 22, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Airplane auxiliary power unit.—Manufactured under section 1313 (a) by Hamilton Standard Div. of United Aircraft Corp., Windsor Locks, Conn., with the use of imported gas turbine engines.

Rate effective on articles manufactured on and after September 11,

1970, and exported on and after September 15, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., March 17, 1972.

(B) Butadiene, butylene-1, butylene-2, propylene, methyl ethyl keytone (MEK).—T.D. 67-98-D, as amended by T.D. 71-135-B, covering the foregoing products manufactured under section 1313(b) by Sinclair Oil Corp., New York, N.Y., at its factory located at Channelview, Tex., with the use of normal butane, further amended to cover such articles manufactured at the said factory by ARCO Chemical Co., a Division of Atlantic Richfield Co., successor.

Amendment effective on articles exported on and after March 4,

1969, the date of succession.

Amendment issued by Regional Commissioner of Customs, Baltimore, Md., April 14, 1972.

(C) Catheters, safety retention, and barium enema units.—Manufactured under section 1313(a) by E-Z-EM Co., Inc., Westbury, N.Y., with the use of imported rubber catheters.

Rate effective on articles manufactured on and after August 1,

1971, and exported on and after September 13, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., April 20, 1972.

(D) Clocks, traveling and other, complete; watch heads; wrist watches; and digital electric clocks.—T.D. 55770-E, as amended by T.D. 68-144-H, covering complete traveling and other clocks manufactured under section 1313(a) by the Ingraham Co., Bristol, Conn., at its Bristol, Conn., and Laurinburg, N.C., factories, with the use of imported clock movements in housings and clock cases; watch heads manufactured with the use of watch movements; and wrist watches manufactured with the use of imported watch movements,

watch heads, watch cases, and watch straps and bracelets, further amended to cover (1) the above-mentioned articles manufactured by McGraw-Edison Co., Elgin, Ill., successor; and (2) digital electric clocks manufactured by the successor company at its Laurinburg, N.C., factory, with the use of imported clock movements.

Amendment effective on articles covered by (1), above, which are exported on and after December 1, 1967, the date of succession, and on articles covered by (2), above, which are manufactured and ex-

ported on and after February 9, 1972.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., April 25, 1972.

(E) Cocktail mixes, grenadine syrup, mapletone, glycolene, and instant cocktail mixes.—T.D. 53622-D, as amended by T.D.'s 53730-E, 55674-C, 69-246-H, and 70-66-D, covering the foregoing articles manufactured under section 1313(b) by Holland House Brands, Inc., at its factory located at Ridgefield, N.J., with the use of liquid refined sugar and hard refined sugar, further amended to cover the above-mentioned articles manufactured by National Distillers and Chemical Corp., New York, N.Y., successor.

Amendment effective on articles exported on and after June 1,

1971, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., April 20, 1972.

(F) Cooking and serving ware.—Manufactured under section 1313 (a) by Corning Glass Works, Corning, N.Y., at its factory located at Martinsburg, W. Va., with the use of imported ground petalite.

Rate effective on articles manufactured on and after October 15,

1969, and exported on and after April 17, 1970.

Rate issued by Regional Commissioner of Customs, New York, N.Y., April 26, 1972.

(G) Dyestuff, reduced in strength.—Manufactured under section 1313(a) by Intracolor Div., Crompton and Knowles Corp., Fair Lawn, N.J., with the use of imported dyestuff (concentrated in powder and/or liquid form).

Rate effective on articles manufactured on and after July 21, 1969,

and exported on and after May 14, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., March 23, 1972.

(H) Fumaric acid, dibutyl fumarate, and dibutyl maleate.—T.D. 55387-A, as amended by T.D.'s 56488-B and 68-163-C, covering, among other things, fumaric acid, dibutyl fumarate, and dibutyl

maleate manufactured under section 1313(b) by Monsanto Co., at its St. Louis, Mo., factory, with the use of imported maleic anhydride, amended to cover the said articles manufactured at an additional factory at Addyston, Ohio.

Amendment effective on articles manufactured and exported on

and after February 19, 1970.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., May 12, 1972.

(I) Hoses, fire, linen.—Manufactured under section 1313(a) by Imperial Hose Manufacturing Corp., Bayamon, P. R., with the use of imported flax linen yarn.

Rate effective on articles manufactured and exported on and after

November 4, 1969.

Rate issued by Regional Commissioner of Customs, Miami, Fla., November 2, 1971.

(J) Jewelry.—Manufactured under section 1313(a) by Van Cleef and Arpels, Inc., New York, N.Y., with the use of imported precious and semiprecious stones, beads, and pearls.

Rate effective on articles manufactured and exported on and after

June 14, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., May 5, 1972.

(K) Mask alignment systems, high speed.—Manufactured under section 1313(a) by Kulicke and Soffa Industries, Inc., Fort Washington, Pa., with the use of imported Zeiss mask alignment microscopes.

Rate effective on articles manufactured on and after May 29, 1970,

and exported on and after November 12, 1970.

Rate issued by Regional Commissioner of Customs, Baltimore, Md., February 25, 1972.

(L) Mixers and mixer-cooler combinations.—Manufactured under section 1313(a) by Welex Inc., King of Prussia, Pa., with the use of imported mechanical blending and mixing machines or with the use of imported electrical blending and mixing machines.

Rate effective on articles manufactured on and after November 1,

1967, and exported on and after November 28, 1967.

Rate issued by Regional Commissioner of Customs, Baltimore, Md.. October 8, 1971.

(M) Opium products.—T.D. 35907, as amended and extended, covering, among other things, opium products manufactured under section 1313(a) by CPC International, Inc., at its factories located

at Brooklyn, N.Y., and Newark, N.J., with the use of imported opium, further amended to cover Noscapine Alkaloid NF and Noscapine Hydrochloride NF manufactured by the above named company at its Newark, N.J., factory, under section 1313(a) with the use of imported opium.

Amendment effective on articles manufactured on and after September 1, 1963, and exported on and after September 23, 1963.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., April 26, 1972.

(N) Panels, polyester fiberglass.—Manufactured under section 1313(a) by Filon Div. of Vistron Corp., Hawthorne, Calif., with the use of imported fiberglass roving.

Rate effective on articles manufactured and exported on and after

March 14, 1972.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., April 12, 1972.

(O) Piece goods, bleached, dyed, printed, or mercerized.—T.D. 55411(1), as amended by T.D. 68-51-Q, covering the foregoing articles manufactured under section 1313 (a) and (b) by Cone Miles Corp., Greensboro, N.C., at its factories located at Greenville and Carlisle, S.C., and Greensboro, N.C., with the use of imported or drawback piece goods or with the use of greige piece goods, further amended to cover the foregoing articles manufactured by the said corporation under section 1313 (a) and (b) at its additional factory located at Haw River, N.C.

Amendment effective on articles manufactured on and after Decem-

ber 1, 1971, and exported on and after January 2, 1972.

Amendment issued by Regional Commissioner of Customs, New York, N. Y., May 18, 1972.

(P) Rocoat Thiamine Mononitrate (coated with vitamin B1).— Manufactured under section 1313(a) by Hoffmann La Roche Inc., Nutley, N. J., at its factory located at Belvidere, N. J., with the use of imported uncoated thiamine mononitrate (vitamin B1).

Rate effective on articles manufactured on and after October 14,

1969, and exported on and after November 14, 1969.

Rate issued by Regional Commissioner of Customs, New York, N.Y., May 8, 1972.

(Q) Saws, circular, industrial.—Manufactured under section 1313
(a) by Huther Bros. Inc., Rochester, N. Y., with the use of imported high speed steel sheets.

Rate effective on articles manufactured on and after February 15, 1969, and exported on and after January 3, 1972.

Rate issued by Regional Commissioner of Customs, New York, N. Y., April 5, 1972.

(R) Splits, suede, tanned and processed.—Manufactured under section 1313 (a) by Ferman Leather Co., Inc., Peabody, Mass., with the use of imported chrome splits.

Rate effective on articles manufactured on and after May 1, 1970,

and exported on and after July 23, 1970.

Rate issued by Regional Commissioner of Customs, Boston, Mass., May 22, 1972.

(S) Steel pipe, corrosion-resistant and weight coated.—Manutactured under section 1313 (a) by H. C. Price Co., Bartlesville, Okla., at its factory located at Harvey, La., with the use of imported electric resistance welded steel pipe.

Rate effective on articles manufactured on and after February 1,

1971, and exported on and after February 10, 1971.

Rate issued by Regional Commissioner of Customs, New Orleans, La., May 4, 1972.

(T) Steel products, various.—T. D.'s 45055—C, 46967—Q, 47223—G, and 47984—L, and the amendments thereto, covering various steel products manufactured under section 1313 (b) by United States Steel Corp., Pittsburgh, Pa., at its several factories, with the use of, among other things, ferro-chrome, fluorspar, manganese, nickel, pig iron, and spelter, further amended to cover such products manufactured by the said corporation at its Texas Works plant located at Baytown, Tex.

Amendment effective on articles manufactured on and after May 5,

1970, and exported on and after December 9, 1970.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 4, 1972.

(U) Tetrafluoroethylene tape, tetrafluoroethylene insulated wire and cable.—T.D. 55814—H, covering the foregoing articles manufactured under section 1313 (b) by Tensolite Insulated Wire Co., Inc., Tarrytown, N.Y., with the use of tetrafluoroethylene resin powder, amended to cover said articles manufactured by Tensolite Div. of Carlisle Corp., Tarytown, N.Y., successor.

Amendment effective on articles exported on and after September

30, 1968, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., April 14, 1972.

(V) Tungsten products.—T.D. 50586-F, as amended by T.D.'s 51198-G, 51233-J, 51777-M, 52262-A, 54592-J, 56365-M, and 66-12-O, covering, among other things, "Kennametal" manufactured under section 1313 (a) and (b) by Kennemetal, Inc., Latrobe, Pa., at its various factories, with the use of, among other things, imported scrap Kennametal powder and tungsten ore or concentrate, further amended to cover the said articles manufactured at a new factory located on Highway No. 95, Fallon, Nev., replacing the factory located at Rawhide, Nev.; and to cover such articles manufactured at additional factories located at Windsor Locks, Conn., and Johnson City, Tenn.

Amendment effective on articles manufactured and exported on and after December 1, 1969, in the case of the factory located on Highway 95, Fallon, Nev.; and on articles manufactured and exported on and after July 1, 1970, in the case of the factories located in Windsor Locks,

Conn., and Johnson City, Tenn.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., February 17, 1972.

(W) Turbine-generator sets, steam.—T.D. 56091-P, as amended, covering turbine generators manufactured under section 1313 (a) by General Electric Co., Schenectady, N. Y., with the use of imported retaining ring forgings, further amended to cover steam turbine-generator sets manufactured by the said company at its Schenectady, N. Y., factory, with the use of imported exhaust hoods, inner casings, housing fabricates, and turbine buckets and closure blades.

Amendment effective on articles manufactured on and after April 1,

1968, and exported on and after September 11, 1968.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., October 8, 1971.

(X) Type metal alloys, recast pig lead and photoengraving zinc.—T.D. 46030-X, as extended by T.D.'s 48503-D, 50121-Q, 50365-B, and 50460-K, and amended by T.D. 51986-L, covering, among other things, type metal alloys and recast pig lead manufactured under section 1313 (a) by Imperial Type Metal Co., Philadelphia, Pa., with the use of imported pig lead, antimony, antimonial lead and type metal, with pig lead or antimonial lead produced in bonded smelting and refining warehouses, or with antimonial lead and type metal manufactured under drawback regulations, further amended to cover all such articles manufactured by Imperial Metal & Chemical Co., Philadelphia, Pa., successor.

Amendment effective on articles exported on and after October 1, 1965.

Amendment issued by District Director of Customs, Philadelphia, Pa., January 17, 1967.

(Y) Wool, hair, silk, or synthetic fibers, sorted; sorted and blended; graded, sorted and blended; or otherwise manufactured or produced.—T.D. 66-60-S, covering the foregoing products manufactured under section 1313 (a) by American Silk Spinning Co., Inc., Woonsocket, R.I., with the use of imported or drawback wool, hair, silk, or synthetic fibers, amended to cover such products manufactured by Cashmere Processing Corp., Woonsocket, R.I., successor.

Amendment effective on articles exported on and after December

31, 1970, the date of succession.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., September 9, 1971.

(Z) Wool tops; sorted and blended wool.—Manufactured under section 1313 (a) by The Top Co., Inc., Boston, Mass., at its factory located at South Barre, Mass., with the use of imported greasy wool.

Rate effective on articles manufactured and exported on and after

January 1, 1972.

Rate issued by Regional Commissioner of Customs, Boston, Mass., January 12, 1972.

### General Electric Co., Schenectady, N. V., with the use of imported retaining sing forgings, ((189-27 .Q.T) of no covere steam turbine-

### Special classes of merchandise—Unfair competition

Sections 12.39(b) and 25.4(a) (29), Customs Regulations, relating to the amount of the Customs bond taken on conditional release of merchandise involving unfair competition, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 12—SPECIAL CLASSES OF MERCHANDISE

#### Development Libertos (17) PART 25-BONDS data dil 70-70 Sectodories

Sections 12.39(b) and 25.4(a) (29) of the Customs Regulations provide that the bond to be taken in connection with the release of merchandise pursuant to section 337(f) of the Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), shall be in an amount equal to the domestic value of the merchandise. Section 12.39(b) further states that the domestic value shall be as defined in section 340, Tariff Act of

1930. However, section 340 of the Tariff Act is no longer contained in the United States Code because it is considered executed. Therefore, this amendment changes section 12.39(b) of the Customs Regulations to explicitly state the definition of the term "domestic value" identical to the definition of this term in section 340 of the Tariff Act, and adds to section 25.4(a) (29) a cross-reference to this definition in section 12.39(b). The citation of authority for section 12.39 is amended to include a statutory citation of authority omitted from the present Customs Regulations.

Accordingly, Parts 12 and 25 of the Customs Regulations are amended as follows:

#### PART 12-SPECIAL CLASSES OF MERCHANDISE

Paragraph (b) of section 12.39 is amended to read:

#### 12.39 Exclusion from entry; entry under bond.

(b) The bond to be used in connection with the release of merchandise pursuant to such section 337(f) of the Tariff Act of 1930, as amended, shall be in an amount equal to the domestic value, as ascertained by the appraising officer, and shall be conditioned upon the exportation of the merchandise if it is finally determined that such merchandise shall be excluded from entry into the United States. As used herein, the term "domestic value" means the price at which such or similar imported merchandise is freely offered for sale, at the time of exportation of the imported merchandise, packed ready for delivery, in the principal market of the United States to all purchasers, in the usual wholesale quantities and in the ordinary course of trade, or, if such or similar imported merchandise is not so offered for sale in the United States, then an estimated value, based on the price at which merchandise, whether imported or domestic, comparable in construction or use with the imported merchandise, is so offered for sale, with such adjustments as may be necessary owing to differences in size, material, construction, texture, and other differences.

The citation of authority for section 12.39 is amended to read:

(Secs. 337, 623, 46 Stat. 703, as amended, 759, as amended; 19 U.S.C. 1337, 1623).

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

### This directive was public scrool 12 Frang al Register on August 12, 1972 (S7 F.R. 16420), by the Committee for the Implementation of

Item (29) of paragraph (a) of section 25.4 is amended to read:

#### 25.4 Bond approved by collectors; form and execution.

(a) \* \* \* 1. (29) Special bond, taken under the provisions of section 337(f), Tariff Act of 1930, in the form prescribed in T.D. 45474. This bond

shall be in an amount equal to the domestic value of the merchandise, as defined in section 12.39(b) of this chapter.

\* \* \* \* \* \* \* \* \* (R.S. 251, as amended, secs. 623, 624, 46 Stat. 759, as amended; 19 U.S.C. 66, 1623, 1624)

Because this amendment merely involves a substitution of the definition of the term "domestic value" as used in the regulations for a cross-reference to section 340 of the Tariff Act, where the term is defined, notice and public procedure thereon is found to be unnecessary under 5 U.S.C. 553(b), and good cause exists for dispensing with a delayed effective date, under the provisions of 5 U.S.C. 553(d).

Effective date: This amendment shall be effective upon publication in the Federal Register.

(014.1)

EDWIN F. RAINS,

Acting Commissioner of Customs.

Approved August 28, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register September 6, 1972 (37 F.R. 18032)]

(T.D. 72–232)

#### Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 31, 1972.

There is published below the directive of August 9, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products in Categories 1 through 64 manufactured or produced in the Republic of China.

This directive was published in the Federal Register on August 12, 1972 (37 F.R. 16430), by the Committee for the Implementation of Textile Agreements.

(343.3)

Edwin F. Rains,

Acting Commissioner of Customs.

### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 9, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

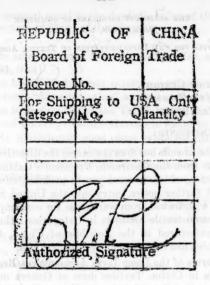
This directive amends but does not cancel the directive issued to you on May 3, 1968 from the Chairman, President's Cabinet Textile Advisory Committee, which directed you to prohibit, effective June 10, 1968 and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in the Republic of China, for which the Republic of China had not issued an appropriate visa.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971, between the Governments of the United States and the Republic of China, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive of May 3, 1968 is amended, effective as soon as possible and until further notice, to authorize the entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in the Republic of China, that are accompanied by the enclosed seal as well as those accompanied by the seal enclosed in the directive of May 3, 1968.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles and cotton textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources



(P. Y. Liu)

(T.D. 72–233)

### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 31, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Dominion ConsolidatedTruck Lines, 15Atomic Ave., Toronto, Canada, motor carrier; Reliance Ins. Co. (PB 12/1/70) D 8/16/72	Aug. 3, 1972	Aug. 16, 1972	Detroit, Mich.; \$50,000
Elkton Trucking Co., Box 349, Elkton, Md., motor carrier; Liberty Mutual Ins. Co. D 9/1/72	Mar. 7, 1968	Apr. 11, 1968	Baltimore, Md.; \$25,000
D. D. Jones Transfer & Warehouse Co., Inc., 630 22nd St., Chesapeake, Va., motor carrier; The Travelers Indemnity Co. (PB 5/17/68) D 8/14/72 1	Aug. 14, 1972	Aug. 14, 1972	Norfolk, Va.; \$25,000
Maiers Motor Freight Co., Vassar, Mich., motor carrier; Auto-Owners Ins. Co. D 9/14/72	Apr. 1,1966	Apr. 20, 1966	Detroit, Mich.; \$10,000
Rooks Transfer Lines, 650 E. 16th St., Holland, Mich., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 10/11/67) D 8/14/72	Aug. 4, 1972	Aug. 14, 1972	Detroit, Mich.; \$50,000
Slaughter Beverage Transport, Smyrna, Del., motor carrier; New Hampshire Ins. Co. D 8/8/72	Mar. 12, 1970	May 14, 1970	Philadelphia, Pa.; \$25,000
Howard Sober Inc., 2400 W. St. Joseph St., Lansing, Mich., motor carrier; Liberty Mutual Ins. Co. (PB 8/1/87) D 8/16/72	Aug. 1, 1972	Aug. 16, 1972	Detroit, Mich.; \$50,000
Springmeier Shipping Co., Inc., 1123 Hadley St., St. Louis, Mo., freight forwarder; The Hanover Ins. Co. (PB 2/12/62) D 8/17/72	Aug. 9, 1972	Aug. 17, 1972	St. Louis, Mo.; \$50,000
Steuart Transportation Co., Star Route, Box 227, Piney Point, Md., water carrier; The Aetna Casualty & Surety Co.	Aug. 11, 1972	Aug. 23, 1972	Baltimore, Md.; \$50,000
Transportation Service, Inc., 2021 S. Schaefer Hwy., Detroit, Mich., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 1/3/66) D 8/16/72	July 24, 1972	Aug. 16, 1972	Detroit, Mich.; \$50,000
U.S. Truck Co., 2290 24th St., Detroit, Mich., motor carrier; Insurance Co. of North America (PB 6/19/57) D 8/14/72	Aug. 8, 1972	Aug. 14, 1972	Detroit, Mich.; \$50,000

1 Surety is Fed. Ins. Co. paragon planned beauting har-seolemed beauting to

(241.2) or odd besien 12-07 moisicoll ymraei T .2581 .72 rodawy

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

#### (T.D. 72-234)

#### Countervailing duties—Canned tomatoes and canned tomato concentrates from Italy

Countervailing duty order with respect to canned tomatoes and canned tomato concentrates from Italy modified. Section 16.24(f), Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

#### PART 16-LIQUIDATION OF DUTIES

Treasury Decision 68-112, published in the Federal Register of April 19, 1968 (33 F.R. 6011), imposed countervailing duties on canned tomatoes and canned tomato concentrates imported directly or indirectly from Italy.

Treasury Decision 68-112 was modified by Treasury Decision 69-13, published in the Federal Register of December 31, 1968 (33 F.R. 20037), and by Treasury Decision 70-83, published in the Federal

Register of April 7, 1970 (35 F.R. 5610).

Treasury Decision 69-13 lowered the rate of countervailing duties imposed to reflect a decrease in the amount of the bounties or grants paid or bestowed by the Government of Italy within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303) on exports of canned tomatoes and canned tomato concentrates, effective November 27, 1968. Treasury Decision 70-83 raised the rate to reflect an increase in the amount of the bounties or grants paid or bestowed, effective February 21, 1970.

Information has been received that the Government of Italy, effective July 15, 1971, discontinued the payments or bestowals of bounties or grants, within the meaning of section 303 of the Tariff Act of 1930, on the export of canned tomatoes and canned tomato concentrates from Italy directly to the United States, and that bounties or grants, at a new rate, continue to be paid or bestowed upon the export of these tomato products from Italy to countries other than the United States.

Accordingly, countervailing duties will not be collected on canned tomatoes and canned tomato concentrates exported from Italy directly to the United States on and after July 15, 1971.

In accordance with section 303 of the Tariff Act of 1930, the net amount of the bounty or grant on canned tomatoes and canned

tomato concentrates exported from Italy to countries other than the United States on and after July 15, 1971, has been ascertained and determined or estimated, and such net amount is hereby declared to be as shown in Appendix A.

Effective on July 15, 1971, and until further notice, upon entry for consumption or withdrawal from warehouse for consumption of such dutiable canned tomatoes or canned tomato concentrates imported from third countries, which were exported from Italy on or after July 15, 1971, and which benefit from such bounty or grant, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration.

The table in section 16.24(f) of the Customs Regulations is amended by inserting after the last line under "Italy—Canned tomatoes and canned tomato concentrates" the number of this Treasury Decision in the column headed "Treasury Decision" and the words "Discontinued as to canned tomatoes and canned tomato concentrates exported from Italy directly to the United States on and after July 15, 1971; new rate as to canned tomatoes and canned tomato concentrates exported from Italy to countries other than the United States and subsequently imported into the United States" in the column headed "Action."

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624).

LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved August 31, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register September 8, 1972 (37 F.R. 18193)]

#### APPENDIX A

		ity or grant on
	exports from It	
	other than the	United States
	July 15, 1971, through August 3, 1971	August 4, 1971, and thereafter
The state of the s	Per 100 kilos	Per 100 kilos
DESCRIPTION		
Canned Tomatoes	2, 812. 50 lire	3, 750. 00 lire
Canned Tomato Concentrates by Content of Dry Extract:	Samuel II	
	2, 675. 00 lire	3, 012. 50 lire
12% and over, but less than 18%	,	
18% and over, but less than 28%	4, 106. 25 lire	4, 618. 75 lire
28% and over, but less than 36%	5, 000. 00 lire	5, 625. 00 lire
36% and over, but less than 95%	5, 718. 75 lire	7, 231. 25 lire
95% and over	17, 000. 00 lire	19, 125. 00 lire

advended and to solutions of (T.D. 72-235) may a sates importon of amost

Conversion of currency—Customs Regulations amended

Denmark added to the list of quarterly rate countries, section 16.4(d), Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 16-LIQUIDATION OF DUTIES

No significant variances in the rate of exchange daily certified to the Secretary of the Treasury by the Federal Reserve Bank of New York pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), have occurred during extensive periods for the Denmark krone.

Therefore, pursuant to section 522(c)(1)(B), Denmark is hereby designated as a country whose currency shall be subject to conversion for Customs purposes at the rate of exchange first certified by the Federal Reserve Bank of New York for a day within the quarter beginning October 1, 1972, and each calendar quarter thereafter.

The list of countries alphabetically set forth at the end of paragraph (d) of section 16.4 of the Customs Regulations, is amended to include "Denmark."

(R.S. 251, as amended, secs. 522, 624, 46 Stat. 739, as amended, 759; 19 U.S.C. 66, 1624, 31 U.S.C. 372)

Because the instructions, primarily relating to action to be taken by Customs officers, produce generally beneficial results from the standpoint of the public, good cause exists under 5 U.S.C. 553(b), for dispensing with notice and public procedure.

Effective date. This amendent shall become effective on October 1, 1972.

(014.1)

Edwin F. Rains, Acting Commissioner of Customs.

Approved August 31, 1972:
EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[Published in the Federal Register September 12, 1972 (37 F.R. 18448)]

#### habraib stanov ETCh A deta (T.D. 72-236) O william The semberous

### Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles manufactured or produced in the Federative Republic of Brazil

DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., September 6, 1972.

There is published below the directive of August 10, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles, in Categories 18/19 and part of 26, manufactured or produced in the Federative Republic of Brazil.

This directive was published in the Federal Register on August 15, 1972 (37 F.R. 16516), by the Committee.

(343.3) (343.3) (343.3) (343.3) (343.3)

EDWIN F. RAINS,

Acting Commissioner of Customs.

## THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

Giairman, Cournittee for the Implementation

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 10, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive further amends but does not cancel the directive issued to you on September 28, 1971 from the Chairman, President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textiles and cotton textile products in certain categories, produced or manufactured in the Federative Republic of Brazil.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the

procedures of Executive Order 11651 of March 3, 1972, you are directed to further amend, effective as soon as possible, the level of restraint established in the aforesaid directive of September 28, 1971, as amended, for cotton textile products in Categories 18/19 and part of 26 (printcloth), produced or manufactured in the Federative Republic of Brazil, as set forth below:

Amended Twelve-Month Level of

Category of Restraint 2

18/19 and part of 26 (printcloth) 1

12.576.250 sq. vds.

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such action, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

#### (T.D. 72-237)

#### Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in categories 9 and 39, manufactured or produced in Hungarian People's Republic

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., September 6, 1972.

There is published below the directive of July 26, 1972, received by the Commissioner of Customs from the Chairman, Committee for the

<sup>&</sup>lt;sup>1</sup> In Category 26, the T.S.U.S.A. Nos. for printcloth are:

<sup>&</sup>lt;sup>2</sup> This amended level of restraint has not been adjusted to reflect any entries made on or after October 1, 1971.

Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in categories 9 and 39, manufactured or produced in the Hungarian People's Republic.

This directive was published in the Federal Register on July 29.

1972 (37 F.R. 15339), by the Committee.

Leonard Lehman, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

bilatoral agreeon at referred to above, will be made to you by letter.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 13, 1970 between the Governments of the United States and the Hungarian People's Republic, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective August 1, 1972 and for the twelve-month period extending through July 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9 and 39, produced or manufactured in the Hungarian People's Republic, in excess of the following levels of restraint:

Tapelve-Month Levels of Restraint Category 9 1.212,750 sq. vds. 62,843 dozen pair 39

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 9 and 39 produced or manufactured in the Hungarian People's Republic and which have been exported prior to August 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period of August 1, 1971 through July 31, 1972. In the event that the levels of restraint established for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth are subject to adjustment pursuant to the provisions of the bilateral agreement of August 13, 1970, between the Governments of the United States and the Hungarian People's Republic which provide, in part, that within the aggregate limit, the limitations on Categories 9 and 39 may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972

(37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Hungarian People's Republic and with respect to imports of cotton textiles and cotton textile products from the Hungarian People's Republic have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER, 1 2000/2010

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

dered discollections T (T.D. 72-238)

Man-made fiber textiles—Restrictions on entry

Restrictions on entry of man-made fiber textile products in categories 206 through 213, manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C. September 6, 1972.

There is published below the directive of August 11, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restrictions on entry into the United States of man-made fiber textile products in categories 206 through 213, manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on August 16, 1972 (37 F.R. 16565), by the Committee.

(343.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 11, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 206 through 213, produced or manufactured in the Republic of Korea, in excess of an adjusted level of restraint of 1,293,833 square yards for the total of this group of eight categories.<sup>1</sup>

Entries of man-made fiber textile products in the above categories produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not

be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

<sup>&</sup>lt;sup>1</sup> The adjusted level of restraint reflects entries made through July 29, 1972. The level has not been adjusted to reflect any entries made after July 29, 1972.

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exceptions to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,

Chairman, Committee for the Implementation

of Textile Agreements, and

Deputy Assistant Secretary

for Resources

Audi-nelf lots of (T.D. 72-239)

Man-made fiber textiles—Restrictions on entry

Restrictions on certain categories of man-made fiber textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 6, 1972.

There is published below the directive of August 15, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restrictions on entry into the United States of man-made fiber textile products in certain categories manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on August 17, 1972 (37 F.R. 16630), by the Committee.

(343.3)

EDWIN F. RAINS,

Acting Commissioner of Customs.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20280

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 15, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

# DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 214, 215, 217, 218, 220, 223, 225, 226, 227, 230, 231, 232, 233, 236 and 239, produced or manufactured in the Republic of Korea, in excess of the following adjusted levels of restraint:

Category	Adjusted Levels of Restrain
214	56,076 Doz. Pr.
215	252, 109 Doz. Pr.
217	14,075 Doz.
218	404, 416 Doz.
220	15,041 Doz.
223	709, 537 Doz.
225	72, 919 Doz.
226	210, 843 Doz.
227	35, 959 Lbs.
230	14, 861 Doz.
231	28, 412 Doz.
232	13, 653 Doz.
233	10, 363 Doz.
236	42, 204 Doz.
239	18,722 Doz.

Entries of man-made fiber textile products in the above categories produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

<sup>&</sup>lt;sup>1</sup> The adjusted levels of restraint reflect entries made through July 29, 1972. The levels have not been adjusted to reflect any entries made after July 29, 1972.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register

on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-240)

Man-made fiber textiles—Restrictions on entry

Restrictions on entry of man-made fiber textile products in categories 231 and 242, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 6, 1972.

There is published below the directive of August 9, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restrictions on entry into the United States of man-made fiber textile products in categories 231 and 242, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on August 12, 1972 (37 F.R. 16431), by the Committee.

(343.3)

LEONARD LEHMAN,

Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 9, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972 you are directed to prohibit effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 231 and 242, produced or manufactured in the Republic of China, in excess of the following adjusted levels of restraint:

			HET TO IT	Adjusted	Levels
Category		and son't less' II		of Restraint 1	
231		and allermanders		11,260	dozen
949		Color Way	in singer	2.804	lb

Entries of man-made fiber textile products in the above categories produced or manufactured in the Republic of China and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

currency exchange are not available and will not be cortified for the

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

<sup>&</sup>lt;sup>1</sup> The adjusted levels of restraint reflect entries made through June 30, 1972. The levels have not been adjusted to reflect any entries made after June 30, 1972.

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-241)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., August 29, 1972.

The Federal Reserve Bank of New York has advised that rates of currency exchange are not available and will not be certified for the currencies and dates shown below, which were previously announced as temporarily suspended (T.D. 72–190, 72–195, and 72–205). Therefore, the rate of exchange certified for the last preceding day will be used for Customs purposes pursuant to section 16.4, Customs Regulations (19 CFR 16.4), for the currencies and dates shown.

Hong Kong dollar: June 26, 27, and 28, 1972

Iran rial: June 23, 26, 27, and 28, 1972

Philippine peso: June 23, 26, 27, and 28, 1972

Thailand baht (tical): June 23, 26, 27, and 28, 1972

(342.211)

LEONARD LEHMAN, Acting Commissioner of Customs.

# (T.D. 72-242)

# Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., September 5, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(e), Tariff Act of 1930, as amended (31 U.S.C. 372(e)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4 Customs Regulations (19 CFR 16.4).

#### Denmark krone:

August 28, 1972	\$0.145125
August 29, 1972	. 145275
August 30, 1972	. 14525
August 31, 1972	. 1451
September 1, 1972	. 14485

Hong Kong dollar:	Official	lo inmaralate Free minimaria
July 31, 1972	\$0.1750	Not available
August 1, 1972	. 1740	44
August 2, 1972	. 1740	(11) Esterona (11) - T.D. T.
August 3, 1972	. 1740	an concentrate and Lateron Da
August 4, 1972	. 1740	Tars(b) by Tim Dow Chennel
Account to the first of the first that the		

# Iran rial: gram and part to have been been been been been all the more than a second

For the period August 21 through August 25, 1972, rate of \$0.0131.

# Philippine peso:

For the period August 21 through August 25, 1972, rate of \$0.1465.

# Thailand baht (tical):

Tricerior of	20 1	01041)	
August	21,	1972	\$0.0478
August	22,	1972	. 0479
August	23,	1972	. 0478
August	24,	1972	. 0478
August	25,	1972	. 0478
(342.211)		modulate and glass balts manufactor	

EDWIN F. RAINS, Acting Commissioner of Customs. (T.D. 72-243)

Synopses of Drawback decisions

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., August 31, 1972.

The following are synopses of drawback rates and amendments issued August 3 to August 22, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approvals under section 22.6, Customs Regulations.

Two (731.1) ormer movement has said for the said of East of The said of the sa

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Betanox Special.—Manufactured under section 1313(b) by Uniroyal, Inc., Middlebury, Conn., at its factory located at Naugatuck, Conn., with the use of beta naphthol.

Rate effective on articles manufactured and exported on and after

May 30, 1972.

Manufacturer's statement of May 22, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., August 14, 1972.

(B) Esteron 1010.—T.D. 71–249–D, covering Esteron 99, Esteron 99 concentrate, and Esteron brush killer manufactured under section 1313(b) by The Dow Chemical Co., Midland, Mich., with the use of propylene glycol butyl ether ester of 2,4-D acid (PGBEE), amended to cover Esteron 1010 manufactured under section 1313(b) by the said company with the use of propylene glycol butyl ether ester of 2,4-D acid (PGBEE).

Amendment effective on articles manufactured on and after March 1, 1971, and exported on and after May 3, 1971.

Manufacturer's supplemental statement of June 15, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., August 7, 1972.

(C) Glass laminates and glass belts.—T.D. 55814—D, as amended by T.D. 68–248—X, covering extruded tetrafluoroethylene tapes and tetrafluoroethylene coated glass fabrics, tapes, yarns, and threads manufactured by Dodge Industries, Inc., Hoosick Falls, N.Y., under section 1313(b) with the use of tetrafluoroethylene, further amended to cover glass laminates and glass belts manufactured by the company

Acting Commissioner of Customs.

at its two Hoosick Falls, N.Y., factories, with the use of tetrafluoroethylene white powders and tetrafluoro-ethylene aqueous dispersions.

Amendment effective on articles manufactured and exported on and after February 25, 1968.

Manufacturer's supplemental statement of June 12, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., August 8, 1972.

(D) Irgasan CF<sub>3</sub>, Tinopal, Tinuvin 327, Tinopal compounds, Tacitin.—T.D. 67-130-E, as amended by T.D.'s 67-260-H, 68-248-Y, 69-218-H, 68-218-V, 72-98-G, 72-116-F, 72-125-C, and 72-125-D, covering, among other things, chemical products manufactured under sections 1313 (a) and (b) by Ciba-Geigy Corp., Ardsley, N.Y., at its various factories, with the use of various chemicals, further amended to cover the articles set forth in the headnote hereof at the various factories with the use of P-chlorophenylisocyanate, tobias acid, 4-chloro-2-nitroaniline (powder and paste), DAS 4-4'-diaminostilbene-2,2'-disulfonic acid disodium salt MW 370 (powder and paste), and ethano anthracene aldehyde (section 1313(a) only).

Amendment effective on articles manufactured with the use of DAS 4-4'-diaminostilbene-2,2'-disulfonic acid disodium salt MW 370 and 4-chloro-2-nitroaniline on and after January 1, 1966, and exported on and after January 1, 1968; on articles manufactured with the use of P-chlorophenylisocyanate, tobias acid and ethano anthracene aldehyde on and after January 1, 1970, and exported on and after March 1, 1970.

T.D. 72-116-F, is hereby revoked.

Manufacturer's supplemental statements of February 29, 1972, April 11, 1972, and July 17, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., August 10, 1972.

(E) Nickel, iron, and cobalt base alloys in ingot, shot, electrode, or wrought form.—T.D. 52325—C, as amended by T.D.'s 53229—A, 53937—A, 55211—A, 68—7—B, 71—44—U, and 71—291—F, covering, among other things, nickel, iron, and cobalt base alloys in ingot, shot, electrode, or wrought form manufactured under section 1313(b) by the Howmet Corp., Greenwich, Conn., at its Dover, N.J., factory, with the use of scrap metals of nickel and cobalt base, further amended to cover such articles manufactured under section 1313(b) by the said company at its above factory with the use of chrome metal.

Amendment effective on articles manufactured and exported on and after March 1, 1971.

Manufacturer's supplemental statement of June 28, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., August 22, 1972.

(F) Nylon thread.—Manufactured under section 1313(b) by Monofilaments, Inc., Waynesboro, Va., with the use of nylon pellets.

Rate effective on articles manufactured on and after August 25,

1971, and exported on and after April 4, 1972.

Manufacturer's statement of April 26, 1972, forwarded to Regional Commissioner of Customs, Baltimore, Md., August 3, 1972.

(G) Olefins and alcohols.—T.D. 69-240-R, covering olefins and alcohols manufactured under section 1313(b) by Getty Oil Co., Los Angeles, Calif., at its Delaware City, Del., factory, with the use of polymer gasoline, hereby amended to cover such products manufactured by Getty Oil Co. (Eastern Operations), Inc., successor.

Amendment effective on articles exported on and after April 1,

1972, the date of succession.

Successor's supplemental statement subscribed to on June 28, 1972, forwarded to Regional Commissioners of Customs, Baltimore, Md., and San Francisco, Calif., August 14, 1972.

(H) Wool tops.—Manufactured under section 1313(b) by The Top Co., Inc., Boston, Mass., with the use of grease wool.

Rate effective on articles manufactured on and after December 1. 1970, and exported on and after July 2, 1971.

T.D. 72-121-W, revoked without prejudice to pending claims.

Manufacturer's statements of July 7, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., August 8, 1972.

#### Approvals under section 22.6, Customs Regulations

(1) Petroleum products.—Manufactured under section 1313(b) by Tesoro-Alaskan Petroleum Corp., Anchorage, Alaska, at its Kenai, Alaska, refinery, with the use of crude petroleum.

Approval effective on articles manufactured on and after Novem-

ber 1, 1969, and exported on and after April 30, 1970.

Manufacturer's statement of August 16, 1971, forwarded to Regional Commissioner of Customs, Houston, Tex., August 14, 1972.

(2) Petroleum products.—T.D. 68-101(1), covering petroleum

products manufactured under section 1313(b) by Getty Oil Co., Los Angeles, Calif., at its various factories, with the use of crude petroleum or petroleum derivatives, amended to cover such products manufactured by Getty Oil Co. (Eastern Operations), Inc., successor.

Amendment effective on articles exported on and after April 1.

1972, the date of succession.

Supplemental statement subscribed to on June 27, 1972, forwarded to Regional Commissioners of Customs, San Francisco, Calif., and Los. Angeles, Calif., August 14, 1972.

-nn need (ant) aved (T.D. 72-244) has add a ANN SHIW

# Customs Bonds

General Bond for Smelting and Refining Warehouses, revised

DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., September 11, 1972.

The general bond for smelting and refining warehouses was first promulgated in 1925, in T.D. 40651, and was later amended by T.D.'s 50267 and 52403. This Customs bond form now requires revision to reflect present Customs procedures. Therefore, pursuant to the authority contained in section 251 of the Revised Statutes, as amended, and sections 312, 623, and 624 of the Tariff Act of 1930, as amended (19 U.S.C. 66, 1312, 1623, and 1624), a complete text of this bond form, as revised, is set forth below.

Since the form of the general bond for smelting and refining warehouses is merely conformed with current Customs procedures, notice and public procedure are unnecessary under 5 U.S.C. 553(b), and good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d).

Effective date. This revised form of the bond is effective upon the date of publication in the Federal Register.

(014.1) not labele for spoil wilder doss ai drief des villet et or EDWIN F. RAINS. Acting Commissioner of Customs.

[Published in the Federal Register September 15, 1972 (37 F.R. 18723)]

# thorowith, he transferred from the warehouse in another, or be will-BUREAU OF CUSTOMS

GENERAL BOND FOR SMELTING AND REFINING WAREHOUSES

CONTRACTOR OF THE PARTY OF THE	MEN BY THESE PRESE	NTS,
That	the state of the second to the second	
of	, as principal, and	Sofffmara Sci astoring a sali-
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	A in the sum of	
	or the payment of which we	
executors, adm	ninistrators, successors, and a	ssigns, jointly and sev-
erally, firmly by	y these presents.	ira des a portage do samiela
WITNESS	our hands and seals this	day of

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WHEREAS, the said	have (has) been au-
thorized to smelt or refine, or both, imported me	tal bearing materials
in bond without the payment of duty thereon, a 312, Tariff Act of 1930, as amended, in the and more particularly	s provided in section premises situated at
and bounds in exhibit , attached	
part hereof, which premises are owned, contro	
WHEREAS, metal-bearing materials will be e	entered for warehouse
to be smelted or refined, or both; and	
WHEREAS, metal-bearing materials as well erally will be entered for consumption or fo	
warehouses of Classes 2, 3, or 4 at any of the	
1623, and 1624), a complete care of the bond	.2181 .00 . 3.8.1 91
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and

WHEREAS, pursuant to the regulations promulgated under section 448(b), Tariff Act of 1930, the said principal may find that immediate delivery of the merchandise will be necessary and desires the release of such merchandise prior to the making of formal entry therefor and payment of duties thereon the description of the articles to be fully set forth in such applications for special permits as may be filed by the principal; and

WHEREAS, imported merchandise generally and dutiable metalbearing materials (including products partly smelted or refined) will, to the extent permitted by law and regulations and in accordance therewith, be transferred from one warehouse to another, or be withdrawn for consumption, for transportation and rewarehousing, for exportation, for transportation and exportation, or for any other purpose provided for by law and regulations, as shown in the required documents.

WHEREAS, the above-bounden principal may request that the merchandise be examined elsewhere than at the public store, wharf, or other place in charge of a customs officer;

# NOW, THEREFORE, THE CONDITION OF THIS OBLI-GATION IS SUCH, THAT—

(1) If the said principal shall comply in all respects with the provisions of section 312, Tariff Act of 1930, as amended, and the regulations thereunder, and all other laws and regulations, relating to the

importation, transportation, exportation, transportation and exportation, entry, transfer, warehousing, or rewarehousing of imported metal-bearing materials entered for smelting or refining, or both, and to the custody and safekeeping of an accounting for such metal-bearing materials and dutiable metal (including products partly smelted or refined); and shall exonerate and hold harmless the United States and its officers from or on account of any risk, loss, or expense of any kind or description connected with or arising from the deposit of metal-bearing materials or dutiable metal (including products partly smelted or refined) in the above-described warehouse(s), including the expenses of any kind or description incident to or caused by the transfer of such merchandise from the said warehouse(s) upon the discontinuance thereof;

(2) If, in cases where the merchandise has been released prior to entry pursuant to section 448(b) of the Tariff Act of 1930, the abovebounden principal within the time prescribed by the Customs Regulations, after the release of the articles described in the application for a special permit, shall make entry for such articles and deposit the duties and taxes imposed upon or by reason of importation estimated to be due thereon, or in case the merchandise is to be entered for warehouse file the usual warehouse entry, or if, in the event of failure to make entry or to deposit such duties and taxes, he shall pay to the district director of customs as liquidated damages an amount equal to the value of the merchandise plus the duties and taxes thereon (it being understood and agreed that the amount to be collected shall be based upon the quantity and value of such merchandise as determined by the district director of customs and that the decision of the district director of customs as to the status of such merchandise, whether free or dutiable, together with the rate and amount of duties and taxes, also shall be binding on all parties to this obligation);

(3) And if the above-bounden principal shall, when the merchandise is to be examined elsewhere than at the public stores, wharf, or other place in charge of a customs officer, pay any additional expense, including actual expenses of travel and subsistence, but not the salary of the examining officer, and shall hold such merchandise at the place to which it will be removed for examination until the merchandise shall have been released from customs custody by the completion of final examination for purposes of appraisement; and, at any time before such release, shall transfer the merchandise to such place as the district director of customs may direct; and, when the merchandise has been corded and sealed, shall keep such cords and seals intact until removed by customs officers; or, in the event of default, shall pay to the district director of customs an amount equal to the value of

the merchandise with respect to which there has been a default (as set forth in the entries therefor), plus the estimated duties and taxes

thereon, as determined at the time of entry;

(4) If said principal shall pay monthly to the district director of customs for the district in which said smelting, refining, or smelting and refining warehouses are located, the compensation of customs officers on duty at or assigned to such warehouses, including overtime compensation of customs officers and employees assigned to duty at night or on Sunday or holiday upon a request made by or on behalf

of the principal hereon; and

- (5) If the said principal shall deliver to the said district director such invoices, declarations of owners or consignees, certificates of origin, certificates of exportation, and other declarations, certificates and documents as may be required by law or regulations in connection with the entry or withdrawal of imported merchandise or the withdrawal of dutiable metal (including products partly smelted or refined), in the form and within the time required by law or regulations, or any lawful extension thereof, or, in default thereof, shall pay to the district director of customs such amounts as liquidated damages as may be demanded by him in accordance with the law and regulations; and
- (6) If the said principal shall redeliver or cause to be redelivered to the order of the district director of customs on demand by him, in accordance with the law and regulations in effect on the date of the release of the said articles, any and all merchandise found not to comply with the law and regulations governing its admission into the commerce of the United States; and shall redeliver or cause to be redelivered to the order of the district director of customs such additional packages or quantities of merchandise as may be desired by customs pursuant to section 499, Tariff Act of 1930, as amended, for the purpose of examination, inspection, or appraisement, upon a demand made on such principal within the time prescribed by the Customs Regulations, and shall on demand made within the time prescribed by the Customs Regulations redeliver or cause to be redelivered to the order of the district director of customs any of such merchandise for the purpose of marking pursuant to the provisions of section 304, Tariff Act of 1930, as amended; or, in default thereof, shall pay to said district director such amounts as liquidated damages as may be demanded by him in accordance with the law and regulations not exceeding the amount of this obligation, for any breach or breaches
- (7) If the said principal shall not receive into such warehouse(s) any merchandise entered for warehouse or rewarehouse therein without a proper permit from the district director of customs and without

the presence of the customs officer in charge, and shall not remove or suffer to be removed any such merchandise or dutiable metal (including products partly smelted or refined) not in excess of that charged against open bonds, except in the manner provided for by law and regulations; or, in default thereof, shall pay to the district director of customs on demand all duties, taxes, charges, and exactions found legally due on the merchandise or dutiable metal (including products partly smelted or refined) so removed it being expressly understood and agreed that the liability of said principal under the bond shall extend to all cases where the merchandise or dutiable metal (including products partly smelted or refined) are lost or stolen from said warehouse(s), whether the loss or theft shall result from the fault of said principal or not; and

(8) If the said principal shall pay to the district director of customs, when demanded, all duties, taxes, and charges found legally due and unpaid on the final liquidation of such consumption entries as may be charged against this obligation; and if within three years from the date of original importation the said principal shall pay to the district director of customs the full amount of duties, taxes, charges, and exactions legally due upon all merchandise and dutiable metal withdrawn from warehouse for domestic consumption, and shall pay, on demand by the district director, any other duties, taxes, charges, and exactions found legally due on the merchandise or dutiable metal (including products partly smelted or refined) after withdrawal, or found to be due on merchandise or dutiable metal (including products partly smelted or refined) remaining in warehouse after

expiration of such three-year period; and

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(9) If the said principal shall properly and lawfully enter or withdraw the merchandise or dutiable metal (including products partly smelted or refined) covered by this obligation, for bona fide exportation or for transportation, or for transportation and exportation, and shall actually export or transport such merchandise to its proper destination, and shall actually furnish the district director of customs with proof that such merchandise, if entered for exportation, was exported through a customs port of exit under customs supervision and landed beyond the limits of the United States, or, if entered or withdrawn for transportation to another customs port, was delivered to the district director of customs at the port of destination and there properly entered, the proof to be filed in the form and within the time required by law and regulations, or any lawful extension thereof, or, in lieu of exportation, if the merchandise or dutiable metal (including products partly smelted or refined) shall be destroyed or abandoned within the bonded period in accordance with law and regulations,

or, in default of the foregoing conditions, if the obligors shall pay to the district director of customs the full amount of duties, taxes, charges, and exactions which may be found legally due on such of the merchandise as to which there shall have been default:

Then this obligation to be void: otherwise to remain in full force and effect.

Signed, sealed, and delivered in the presence of

(SEAL)	(Address)	(Name)
(Principal)	(Address)	(Name)
(SEAL)	(Address)	(Name)
(Surety)	(Address)	(Name)
(SEAL)	(Address)	(Name)
(Surety)	(Address)	(Name)

# (T.D. 72-245)

# Classification of key chain with troll head

Decision in C.D. 4318 holding that a key chain with a troll head was not classifiable as an entirety, explained

# DEPARTMENT OF THE TREASURY. OFFICE THE COMMISSIONER OF CUSTOMS. Washington, D.C., September 7, 1972.

In Novelty Import Co., Inc. v. United States, C.D. 4318 (decided December 30, 1971), the Customs Court held that a key chain to which a "Nud Nick" troll head was appended was not classifiable as an entirety as assessed by the Government, but that the key chain and head were separately dutiable. The decision was based on the fact that the independence of both components was established and that both clearly maintained their separate identities when joined.

The Bureau is of the opinion that the decision in C.D. 4318 does not represent a departure from the established treatment of entireties. Key fobs with medallions and other articles of embellishment which have no identity apart from the key chain will continue to be classi-

fied as entireties under the provisions for jewelry.

EDWIN F. RAINS, Acting Commissioner of Customs.

# (T.D. 72-246)

# Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in certain categories manufactured or produced in Thailand

DEPARTMENT OF THE TREASURY,
OFFICE THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

There is published below the directive of August 24, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Thailand.

This directive was published in the Federal Register on August 29, 1972 (37 F.R. 17508), by the Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 24, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On March 27, 1972, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Thailand during the twelve-month period beginning April 1, 1972 in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup>

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 5 of the bilateral cotton textile agree-

<sup>&</sup>lt;sup>1</sup>The term "adjustment" refers to those provisions of the bilateral cotton textile agreement of March 16, 1972 between the Governments of the United States and Thailand which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

ment of March 16, 1972, between the Governments of the United States and Thailand, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of March 27, 1972 for cotton textile products in Categories 18/19, 50, 54, 60, and 64 produced or manufactured in Thailand, as set forth below:

Category		Amended Twelve-Month Level of Restraint
18/19		1,968,750 sq. yds.
50		26, 250 dozen
54		5,411 dozen
60		39, 900 dozen
64		16, 304 lbs.

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-247)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products, in category 39, manufactured or produced in Mauritius

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

There is published below the directive of August 25, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 39, manufactured or produced in Mauritius.

This directive was published in the Federal Register on August 29, 1972 (37 F.R. 17507), by the Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 23, 1972.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226
DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to non-participants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective August 25, 1972 and for the twelve-month period extending through August 24, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 39, produced or manufactured in Mauritius, in excess of 31,500 dozen pairs.

In carrying out this directive, entries of cotton textile products in Category 39, produced and manufactured in Mauritius and which have been exported to the United States from Mauritius in the period August 25, 1971 through August 24, 1972, shall, to the extent they exceed a level of 30,000 dozen pairs, be deducted from the level set forth in this letter.

A detailed description of Category 39 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Mauritius and with respect to imports of cotton textiles and cotton textile products from Mauritius have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions

of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register. Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-248)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products in certain categories manufactured or produced in Malaysia

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

There is published below the directive of August 25, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in certain categories manufactured or produced in Malaysia.

This directive was published in the Federal Register on August 30, 1972 (37 F.R. 17579), by the Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 25, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9,

1962, pursuant to the bilateral Cotton Textile Agreement of September 8, 1970 between the Governments of the United States and Malaysia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective September 1, 1972, and for the twelve-month period extending through August 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 45, 46, 49, 50, 51, 53, 55, and 60, produced or manufactured in Malaysia, in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Level of Restraint
45	99,225 dozen
46	22,050 dozen
49	16,538 dozen
50	27,563 dozen
51	27,563 dozen
53	16,538 dozen
55	19,845 dozen
60	30,870 dozen

In carrying out this directive, entries of cotton textile products in Categories 45, 46, 49, 50, 51, 53, 55, and 60, produced or manufactured in Malaysia and which have been exported to the United States from Malaysia prior to September 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period September 1, 1971 through August 31, 1972. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 8, 1970, between the Governments of the United States and Malaysia, which provide, in part, that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,

Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-249)

Cotton textiles—Restriction on entry

Restriction on cotton textiles and cotton textile products manufactured or produced in Mexico

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

There is published below the directive of August 23, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products, in categories 1 through 64, manufactured or produced in Mexico.

This directive was published in the Federal Register on August 29, 1972 (37 F.R. 17507), by the Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 23, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

# DEAR MR. COMMISSIONER:

This letter amends the directive of August 23, 1971 from the Chairman, President's Cabinet Textile Advisory Committee, that directed you to prohibit, effective 30 days after publication of the notice in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in categories 1 through 64, produced or manufactured in Mexico, and exported therefrom 30 days after said publication, for which Mexico had not issued a visa. One of the visa requirments is that the visa include the signature of one of nine Mexican officials authorized to issue a visa.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 15 of the bilateral Cotton Textile Agreement of June 29, 1971, between the Governments of the United States and Mexico, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive of August 23, 1971 is amended, effective as soon as possible, by the addition of two Mexican officials who are authorized to issue visas. Facsimiles of their signatures are enclosed for your information.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

LIC. BERNARDO L. PLORES.

LIC. BERNARDO L. FLORES.

GERENTE DE LA CAMARA REGIONAL

TEXTIL DEL NORTE.

(1)mG

SF. JUVENTINO MARTINEZ WELEZ GERENTE DE LA CAMARA TEXTIL DE OCCIDENTE.

(T.D. 72-250)

Wool and manmade fiber textiles-Restriction on entry

Restriction on entry of certain manmade fiber textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

There is published below the directive of August 2, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of manmade fiber textile products in categories 237 and 240 manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on August 5, 1972 (37 F.R. 15889), by the Committee.

(343.3)

EDWIN F. RAINS, Acting Commissioner of Customs.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 2, 1972.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972 you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of manmade fiber textile products in Categories 237 and 240, produced or manufactured in the Republic of Korea, in excess of the following levels of restraint:

Category	Adjusted	Levels	of Restraint
237		13,079	no.
240		11,125	lb.

Entries of man-made fiber textile products in the above categories produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Com-

<sup>&</sup>lt;sup>1</sup> The adjusted levels of restraint reflect entries made through June 30, 1972. The levels have not been adjusted to reflect any entries made after June 30, 1972.

mittee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation
of Textile Agreements, and

Deputy Assistant Secretary

for Resources

# (T.D. 72-251)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 12, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

#### Denmark krone:

September	4,	1972	Holiday
September	5,	1972	\$0.145075
September	6,	1972	. 14505
September	7,	1972	. 144925
		1972	. 14495

Hong Kong dollar:	Official	gordo Illino.	Free
August 7, 1972	_ \$0.1750	No	t available
August 8, 1972	. 1750		""
August 9, 1972	. 1755	nor in oil	"
August 10, 1972	. 1740		66
August 11, 1972	. 1740	maker the limit	***

# Iran rial:

For the period August 28 through September 1, 1972, rate of \$0.0131.

#### Philippine peso:

For the period August 28 through September 1, 1972, rate of \$0.1465.

#### Thailand baht (tical):

August 28, 1972	\$0.0478
August 29, 1972	.0478
August 30, 1972	. 0478
August 31, 1972	. 0478
September 1, 1972	.0480
(342.211)	

EDWIN F. RAINS, Acting Commissioner of Customs.

# (T.D. 72-252)

# Bonded Carriers

Approval and discontinuance of carrier bonds. Customs Form 3587

#### DEPARTMENT OF THE TREASURY,

OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., September 14, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Alltrans Express Ltd., 4878 Manor St., N. Barnaby, B.C., Canada, motor carrier; General Ins. Co. of America.	Jan. 1,1972	Aug. 17, 1972	Seattle, Wash.; \$25,000
Anchor Motor Freight, Inc., 21111 Chagrin Blvd., Cleveland, Ohio, motor carrier; American Casualty Co.	Aug. 21, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
Automobile Transport, Inc., 36555 Michigan Ave., Wayne, Mich., motor earrier; Fidelity & Deposit Co. of Md. (PB 3/12/69) D 8/21/72	July 14, 1972	Aug. 21, 1972	Detroit, Mich.; \$50,000

See footnotes at end of table.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Central Cartage Co., 34200 Mount Rd., Sterling Heights, Mich., motor carrier; St. Paul Fire & Ma- rine Ins. Co.	Sept. 1, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
(PB 12/12/70) D 9/5/72 Central Transport, Inc., 34200 Mount Rd., Sterling Heights, Mich., motor carrier; St. Paul Fire & Ma- rine Ins. Co.	Sept. 1, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
(PB 9/17/71) D 9/6/72 <sup>1</sup> Arthur B. Chantry, 1325 Ingraham St., Los Angeles, Calif., motor carrier; Pacific Employers Ins. Co. (PB 5/27/69) D 8/17/72 <sup>2</sup>	Aug. 3, 1972	Aug. 17, 1972	Nogales, Ariz.; \$25,000
Clark Transfer Inc., 829 N. 29th St., Philadelphia, Pa., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 9/1/89) D 9/1/72 <sup>2</sup>	Sept. 1, 1972	Aug. 31, 1972	Philadelphia, Pa.; \$25,000
Groendyke Transport, Inc., P.O.B. 632, Enid, Okla., motor carrier; Mid-Century Ins. Co. (PB 6/1/72) D 8/28/72	June 1, 1972	Aug. 28, 1972	St. Louis, Mo.; \$25,000
International Cartage, Inc., Detroit, Mich., motor carrier; Hartford Accident & Indemnity Co. (PB 4/23/70) D 8/21/72	Aug. 15, 1972	Aug. 21, 1972	Detroit, Mich.; \$50,000
Keyline Freight, Inc., 15 Andre St., S.E., Grand Rapids, Mich., motor carrier; The Hamilton Mutual Ins. Co.	Aug. 15, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
McKinlay Transport Ltd., 34200 Mound Rd., Sterling Heights, Mich., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 12/1/71) D (9/5/72	Sept. 1, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
Midwest Transportation Co., Box 403, Council Bluffs, Iowa, motor earrier; Hartford Accident & Indem- nity Co.	July 19, 1972	Aug. 25, 1972	Chicago, Ill.; \$50,000
Missouri Pacific Truck Lines, Inc., 210 N. 13th St., St. Louis, Mo., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 8/29/69) D 8/29/72 4	Aug. 29, 1972	Aug. 29, 1972	St. Louis, Mo.; \$25,000
Mohawk Airlines, Inc., Oneida County Airport, Utica, N.Y., air carrier; Federal Ins. Co. D 8/31/72	June 21, 1962	Sept. 11, 1962	New York Sea- port; \$50,000
Mohawk Motor, Inc., 34200 Mound Rd., Sterling Heights, Mich., motor carrier; St. Paul Fire & Marine Ins. Co. (PB 12/12/70) D 9/8/72	Sept. 1, 1972	Sept. 5, 1972	Detroit, Mich.; \$50,000
The National Transit Corp., 4401 Stecker Ave., Dearborn, Mich., motor carrier; Continental Cas- ualty Co. (PB 3/10/69) D 8/21/72	Aug. 17, 1972	Aug. 21, 1972	Detroit, Mich.; \$50,000
New England Forwarding Co., Inc., 2121 91st St., N. Bergen, N.J., freight forwarder; Insurance Co. of North America	July 31, 1972	July 31, 1972	New York Sea- port; \$50,000
Reliance Storage & Cartage Co., Ltd., 1001 1st St., S.E., Calgary, Alberta, Canada, motor carrier; The Continental Ins. Co. D 8/21/72	April 28, 1968	April 29, 1968	Great Falls, Mont.; \$25,000
Sioux Transportation Co., P.O.B. 3088, Sioux City, Iowa, motor carrier; St. Paul Fire & Marine Ins. Co. D 8/21/72		July 30, 1971	Chicago, Ill.; \$30,000
States Marine International, Inc., & Isthmian Lines, Inc., 90 Broad St., New York, N.Y., water carrier; Insurance Co. of North America (PB 8/26/71) D 8/26/72 <sup>5</sup>	Aug. 26, 1972	Aug. 26, 1972	New York Sea- port; \$100,000

See footnotes at end of table.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Terminal Transfer Inc., 3001 N.W. Yeon Ave., Port- land, Ore., motor carrier; General Ins. Co. of Amer- ica (PB 3/22/71) D 8/18/72 *	Aug. 17, 1972	Aug. 18, 1972	Portland, Ore.; \$25,000
Transcarribean Trucking Corp., P.O.B. 564, San Juan, P.R., motor carrier; American Fidelity Fire Ins. Co.	April 5, 1972	Aug. 14, 1972	San Juan, P.R.; \$25,000

<sup>1</sup> Surety is U.S. Fidelity & Guaranty Co.

(241.2)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-253)

Customs field organization—Customs Regulations amended
Sections 1.4a, 111.22, 111.24, and 111.27 amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 1-GENERAL PROVISIONS

#### PART 111-CUSTOMHOUSE BROKERS

Due to a reorganization in the Bureau of Customs, the title "Director, Field Audit" has been changed to "Regional Director, Security and Audit". The regulations are amended to reflect this change, and to revise the table of audit offices and their assigned regions which appears in section 1.4a to reflect office location rather than address.

Accordingly, the Customs Regulations are amended as set forth below:

<sup>&</sup>lt;sup>2</sup> Surety is The Aetna Casualty & Surety Co.

<sup>3</sup> Surety is Lumbermens Mutual Casualty Co.

<sup>4</sup> Surety is Insurance Company of North America.

Surety is St. Paul Fire & Marine Ins. Co.
Surety is Mid-Century Ins. Co.

#### PART 1-GENERAL PROVISIONS

Section 1.4a is amended to read as follows:

1.4a Assignment of Customs regions to regional directors, security and audit.—The regions in section 1.1, together with their respective districts, are assigned to the offices of the regional directors, security and audit, as follows:

AUDIT OFFICE	OFFICE LOCATION	CUSTOMS REGIONS
New York	New York, New York	I, II, and III
Branch	Boston, Massachusetts	I
Branch	Baltimore, Maryland	III
Miami	Miami, Florida	IV (9.139)
Houston	Houston, Texas	V and VI
Branch	New Orleans, Louisiana	V
San Francisco	•	
Branch		
Chicago		

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

#### PART 111-CUSTOMHOUSE BROKERS

Sections 111.22(b), 111.24, and 111.27, are amended by deleting the phrase "director, field audit" and inserting "regional director, security and audit" wherever it appears.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C.

66, 1624)

Because this amendment relates to agency management, it is excepted from the requirements of 5 U.S.C. 553.

Effective date: This amendment shall become effective upon publication in the Federal Register.

(014.1)

Edwin F. Rains, Acting Commissioner of Customs.

Approved September 11, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register September 20, 1972 (37 F.R. 19355)]

# (T.D. 72-254)

# Special tonnage tax and light money, Faeroe Islands—Customs Regulations, amended

Foreign discriminating duties of tonnage and impost with respect to vessels of and certain imports from the Faeroe Islands suspended and discontinued; section 4.22, Customs Regulations, amended

> DEPARTMENT OF THE TREASURY, Washington, D.C., September 14, 1972.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

#### PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

The Department of State advised the Department of the Treasury on May 9, 1972, that under Article XIX of the Treaty of Friendship, Commerce and Navigation between the United States and Denmark of October 1, 1951, vessels of either party and their cargoes are entitled to national treatment and most favored nation treatment within the ports and waters of the other party and, further, that under a minute of interpretation, initialed simultaneously with the signing of the Treaty, it was expressly provided that vessels under the flag of the Faeroe Islands are to be treated as Danish vessels.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR ch. II), and pursuant to the authorization provided by Treasury Department Order No. 190, Rev. 7, September 4, 1969 (34 F.R. 15846), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects vessels of the Faeroe Islands, and the produce, manufactures, or merchandise imported into the United States in such vessels from the Faeroe Islands or from any other foreign country. This suspension and discontinuance shall take effect May 9, 1972, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, section 4.22, Customs Regulations, is amended by the insertion of "(including the Faeroe Islands)" after "Denmark" in the list of nations whose vessels are exempted

from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money. (5 U.S.C. 301, R.S. 4219, as amended, 4225, as amended, 4228, as

amended, sec. 3, 23 Stat. 119, as amended; 46 U.S.C. 3, 121, 128, 141)

Since there is a statutory requirement for the suspension of discriminating duties when reciprocity has been established, notice and public procedure under 5 U.S.C. 553 is unnecessary. Inasmuch as the suspension grants an exemption from the payment of duties, there is good cause under 5 U.S.C. 553(d)(1) for making the suspension effective on the earliest date possible.

Effective date: This amendment shall become effective on the date

of its publication in the Federal Register.

(014.1)

EUGENE T. Rossides, Assistant Secretary of the Treasury.

[Published in the Federal Register September 23, 1972 (37 F.R. 20025)]

(T.D. 72-255)

Yacht privileges and obligations; cruising licenses—New Zealand— Customs Regulations amended

Exemption from entry and clearance requirements and Customs charges; issuance of cruising licenses to New Zealand yachts; section 4.94, Customs Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

The Department of State advised the Department of the Treasury on July 13, 1972, that the government of New Zealand allows yachts of the United States to cruise in New Zealand waters without a license or charges for entering or clearance, dues, duty per ton, or tonnage taxes.

Pursuant to section 5 of the act of May 28, 1908, as amended (sec. 5, 35 Stat. 425, as amended; 46 U.S.C. 104), following a finding by the Secretary of the Treasury that a foreign nation has granted the above-

described exemptions to yachts of the United States, the Commissioner of Customs may issue cruising licenses to yachts of that nation.

It has been established to the satisfaction of the Secretary of the Treasury that yachts of the United States are granted the above described reciprocal privileges by the government of New Zealand.

Accordingly, section 4.94(b) of the Customs Regulations is amended by the insertion of "New Zealand" after "Netherlands" in the list of nations whose yachts are exempt from the specified Customs requirements. (Sec. 3, 23 Stat. 119, as amended, sec. 5, 35 Stat. 425, as amended; 5 U.S.C. 301, 46 U.S.C. 3, 104.)

There is statutory authority for this exemption after a finding has been made that such reciprocity exists. Therefore, notice and public procedure under 5 U.S.C. 553 is unnecessary. Inasmuch as this is an exemption, the amendment is made effective on the earliest date possible, under 5 U.S.C. 553(d)(1).

Effective date. This amendment shall become effective on the date of its publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved September 14, 1972: EUGENE T. Rossides, Assistant Secretary of the Treasury.

[Published in the Federal Register September 23, 1972 (37 F.R. 20025)]

# (T.D. 72-256)

Foreign currencies-Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 19, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

#### Denmark krone:

September	11,	1972	\$0.1448
September	12,	1972	.1449
September	13,	1972	.1449
September	14,	1972	.1451
September	15,	1972	.1451

Hong Kong	dol	lar:	Official		Free	
August	14,	1972	\$0.1740	Not	availab	le
August	15,	1972	.1740	"	"	
August	16,	1972	.1735	"	66	
August	17,	1972	.1740	66	"	
August	18,	1972	.1750	44	"	

#### Iran rial:

For the period September 5 through September 8, 1972, rate of \$0.0131.

# Philippine peso:

For the period September 5 through September 8, 1972, rate of \$0.1465.

# Thailand baht (tical):

September 4, 1972	Holiday
September 5, 1972	\$0.0478
September 6, 1972	.0478
September 7, 1972	
September 8, 1972	.0478

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-257)

#### Bonds

Approval of consolidated aircraft bond (air carrier blanket bond), Customs Form 7605; amendment of T.D. 69-195

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 19, 1972.

T.D. 69-195 relating to the approval of the consolidated aircraft bond of the following principal is hereby amended as necessary to

show that such principal is designated as a carrier of bonded merchandise, as noted below.

Principal	Effective date as carrier
Saturn Airways, Inc:	September 6, 1972.

(232.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-258)

Relief from duties on merchandise lost, damaged, abandoned, or exported—Customs Regulations revised

Part 15, Customs Regulations, deleted; Parts 4, 8, 12, 13, 18, 24, and 147 amended;
Part 158 added

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

PART 12—SPECIAL CLASSES OF MERCHANDISE

PART 13-EXAMINATION, MEASUREMENT, AND TESTING OF CERTAIN

PRODUCTS

PART 15—RELIEF FROM DUTIES ON MERCHANDISE LOST, STOLEN, DESTROYED, INJURED, ABANDONED, OR SHORT-SHIPPED

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

PART 147-TRADE FAIRS

PART 158—RELIEF FROM DUTIES ON MERCHANDISE LOST, DAMAGED,
ABANDONED OR EXPORTED

On April 20, 1972, a notice of proposed rule making pertaining to a revision of the Customs Regulations relating to relief from duties on merchandise lost, damaged, abandoned, or exported (19 CFR Part 15) was published in the Federal Register (37 F.R. 7797).

Interested persons were given 60 days in which to submit written comments, suggestions, or objections regarding the proposed revision. No comments were received.

Several editorial changes are made as follows:

1. The reference to the Tariff Schedules in Section 158.13(c) is corrected to read as follows:

"schedule 1, part 6B, headnote 2, Tariff Schedules of the United States (19 U.S.C. 1202),".

2. Two changes in the Parallel Reference Table.

Accordingly, new Part 158, and the conforming changes in Parts 4, 8, 12, 13, 15, 18, and 24, and 147 of the Customs Regulations, Chapter I, title 19, of the Code of Federal Regulations, are hereby adopted as set forth below.

 $\it Effective~date.$  These amendments shall become effective 30 days after publication in the Federal Register.

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved September 15, 1972: EUGENE T. ROSSIDES,

(014.1)

Assistant Secretary of the Treasury.

[Published in the Federal Register September 27, 1972 (37 F.R. 20170)]

PART 158—RELIEF FROM DUTIES ON MERCHANDISE LOST, DAMAGED, ABANDONED, OR EXPORTED

Chapter I of title 19, Code of Federal Regulations, is amended by adding a new Part 158 to read as follows:

PART 158—RELIEF FROM DUTIES ON MERCHANDISE LOST, DAMAGED, ABANDONED, OR EXPORTED

158.0 Scope.

SUBPART A-LOST OR MISSING PACKAGES AND DEFICIENCIES IN CONTENTS OF PACKAGES

158.1 Definition of "permitted" merchandise.

158.2 Shortage in packages released under immediate delivery.

158.3 Allowance for lost or missing packages included in an entry.

158.4 Liability of carrier for lost or missing packages.

- 158.5 Deficiencies in contents of packages general.
- 158.6 Deficiencies in contents of examination packages.

#### SUBPART B-DAMAGED OR DEFECTIVE MERCHANDISE

- 158.11 Merchandise completely worthless at time of importation.
- 158.12 Merchandise partially damaged at time of importation.
- 158.13 Excessive moisture and other impurities.
- 158.14 Perishable merchandise condemned.

#### SUBPART C-CASUALTY, LOSS, OR THEFT WHILE IN CUSTOMS CUSTODY

- 158.21 Allowance in duties for casualty, loss, or theft while in Customs custody.
- 158.22 Not applicable when allowances made under other provisions.
- 158.23 Filing of application and evidence by importer.
- 158.24 Place of filing.
- 158.25 Partial destruction or injury.
- 158.26 Loss or theft in public stores.
- 158.27 Accidental fire or other casualty.
- 158.28 Waiver of evidence.
- 158.29 Decision by district director.
- 158.30 Review of district director's decision.

#### SUBPART D-DESTROYED, ABANDONED, OR EXPORTED MERCHANDISE

- 158.41 Destruction of prohibited merchandise.
- 158.42 Abandonment by importer within 30 days after entry.
- 158.43 Abandonment or destruction of merchandise in bond.
- 158.44 Disposition of abandoned merchandise.
- 158.45 Exportation of merchandise.

AUTHORITY: The provisions of this Part 158 issued under R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624. Subpart C also issued under sec. 563, 46 Stat. 746, as amended; 19 U.S.C. 1563. Additional authority is cited in the text or following the sections affected.

## § 158.0 Scope.

This part sets forth general rules for granting relief from duties on merchandise which is lost, damaged, abandoned, or exported.

SUBPART A—LOST OR MISSING PACKAGES AND DEFICIENCIES IN CONTENTS
OF PACKAGES

# § 158.1 Definition of "permitted" merchandise.

For the purpose of this subpart, merchandise is "permitted" when Customs authorizes the carrier bringing the shipment to the port to make delivery to the consignee or the next carrier and:

- (a) These parties in interest, or their agents, make a joint determination of the quantities being delivered, or.
- (b) The carrier bringing the shipment to the port, at its option, independently declares the quantities available for delivery by filing with the district director, no later than the close of business on the

next working day after a determination of quantities is made, a signed statement that:

- An independent determination of quantities of merchandise available for delivery has been made, with the date of the determination shown;
- (2) At least 4 days have elapsed since the consignee or his agent was notified that Customs has authorized delivery; and,
  - (3) The merchandise was and is available for delivery.

# § 158.2 Shortage in packages released under immediate delivery.

An importer may file a consumption or warehouse entry for less than the invoiced and manifested number of packages in a shipment "permitted" and delivered to him or deposited in a bonded warehouse under the immediate delivery provisions of section 8.59 of this chapter, if he files with the entry a Customs Form 5931, in triplicate. The Customs Form 5931 shall be executed by both the importer and the importing carrier or bonded carrier, as appropriate, and shall contain a declaration by the carrier that the missing packages were not available for delivery within the provisions of section 448(a), Tariff Act of 1930, as amended (19 U.S.C. 1448(a)).

# $\S 158.3$ Allowance for lost or missing packages included in an entry.

Allowance shall be made in the assessment of duties for lost or missing packages of merchandise included in an entry whenever it is established to the satisfaction of the district director before the liquidation of the entry becomes final that the merchandise claimed to be lost or missing was not "permitted." A claim for such allowance shall be made on Customs Form 5931, in triplicate, executed by the importer and the importing carrier or bonded carrier, as appropriate. When the importing or bonded carrier refuses to execute the Customs Form 5931, a claim may be allowed if the importer properly executes the Customs Form 5931 and attaches copies of the dock receipt or other document evidencing nonreceipt of the lost or missing packages.

# § 158.4 Liability of carrier for lost or missing packages.

Upon a joint determination or independent determination of quantity as set forth in section 158.1(a) or (b) resulting in the merchandise being "permitted," the carrier shall be responsible only for any discrepancy between the manifested quantity and the "permitted" quantity. In the case of an importing carrier, when there is a difference between the quantity shown on the inward foreign manifest and the quantity "permitted," liquidated damages or duties shall be assessed under the provisions of the carrier's bond or under the provisions of

section 448, Tariff Act of 1930, as amended (19 U.S.C. 1448), unless the carrier corrects his manifest (see section 4.12 of this chapter). In the case of a bonded carrier, liquidated damages for lost or missing merchandise shall be assessed in accordance with section 18.8 of this chapter.

## § 158.5 Deficiencies in contents of packages—general.

An allowance shall be made in the assessment of duties for deficiencies in the contents of packages when, before the liquidation of the entry becomes final, the importer files:

(a) In the case of a concealed shortage, a Customs Form 5931, in triplicate, executed by the importer alone, and the district director

satisfies himself as to the validity of the claim; or,

(b) In the case of an unconcealed shortage, a Customs Form 5931, in triplicate, executed by both the importer and the importing or bonded carrier, as appropriate.

## § 158.6 Deficiencies in contents of examination packages.

Allowance for deficiency in the contents of any examination package reported to the district director by a Customs officer shall be made in the liquidation of the entry. No Customs officer except one making an examination contemplated by section 499, Tariff Act of 1930, as amended (19 U.S.C. 1499), shall report a supposed deficiency to the district director unless it is established to the satisfaction of the reporting officer that the merchandise was not imported.

(Sec. 499, 46 Stat. 728, as amended; 19 U.S.C. 1499)

SUBPART B-DAMAGED OR DEFECTIVE MERCHANDISE

# § 158.11 Merchandise completely worthless at time of importation.

(a) Nonperishable merchandise. When a shipment of nonperishable merchandise, or any portion thereof which shall have been segregated from the remainder of the shipment under Customs supervision at the expense of the importer, is found by the district director to be entirely without commercial value at the time of importation by reason of damage or deterioration, an allowance in duties on such merchandise on the ground of nonimportation shall be made in the liquidation of the entry.

(b) Perishable merchandise. In the case of perishable merchandise, an allowance in duties may be made under the following conditions:

(1) An application for such allowance shall be filed with the district director on Customs Form 4315 in duplicate, within 96 hours after the unlading of the merchandise and before any of the shipment involved has been removed from the pier pursuant to the entry permit.

(2) Should an application filed in accordance with subparagraph (1) of this paragraph be withdrawn, the merchandise involved shall thereafter be released upon presentation of an appropriate permit.

(3) Allowance in duty shall be made in the liquidation of the entry on such of the merchandise covered by the application as is found by the district director to be entirely without commercial value by reason of damage or deterioration.

(Sec. 506, 46 Stat. 732, as amended; 19 U.S.C. 1506)

# § 158.12 Merchandise partially damaged at time of importation.

(a) Allowance in value. Merchandise which is subject to ad valorem or compound duties and found by the district director to be partially damaged at the time of importation shall be appraised in its condition as imported, with an allowance made in the value to the extent of the damage. However, no allowance shall be made when forbidden by law or regulation; for example, schedule 6, part 2, headnote 4, Tariff Schedules of the United States (19 U.S.C. 1202), provides that no allowance or reduction of duties for partial damage or loss in consequence of discoloration or rust occurring before importation shall be made upon iron or steel or upon any article of iron or steel.

(b) No allowance in specific duties. In the case of merchandise subject to specific or compound duties and found to be partially damaged at the time of importation, no allowance may be made in the specific duties or in the weight, quantity, or measure (except that an allowance for any excessive moisture or other impurities may be made in accordance with section 158.13). However, any part of the shipment which is totally worthless and can be segregated from the rest of the shipment may be treated as a nonimportation in accordance with sec-

tion 158.11.

(Sec. 506, 46 Stat. 732, as amended; 19 U.S.C. 1506)

# § 158.13 Excessive moisture and other impurities.

(a) Application by importer. An application for an allowance in duties under section 507, Tariff Act of 1930 (19 U.S.C. 1507), for excessive moisture or other impurities not usually found in or upon such or similar merchandise shall be made by the importer on Customs Form 4315. The application shall be filed with the district director within 10 days after the report of weight or gauge has been received by the district director or within 10 days after the date upon which the entry or a related document was endorsed to show that invoice weight or gauge has been accepted by the Customs inspector or other Customs officer.

(b) Allowance by district director. If the district director is satisfied after any necessary investigation that the merchandise contains excessive moisture or other impurities not usually found in or upon such or similar merchandise, he shall make allowance for the amount thereof in the liquidation of the entry.

(c) Limitations on allowance. No allowance under this section shall be made when forbidden by law or regulation; for example, schedule 1, part 6B, headnote 2, Tariff Schedules of the United States (19 U.S.C. 1202), provides that no allowance in weight shall be made for dirt or other impurities in seed of any kind provided for in that subpart.

(Sec. 507, 46 Stat. 732; 19 U.S.C. 1507)

### § 158.14 Perishable merchandise condemned.

(a) Application by importer. When fruit or other perishable merchandise has been condemned by health officers or other legally constituted authorities within 10 days after landing, an importer who desires allowance in duties under section 506(2), Tariff Act of 1930, as amended (19 U.S.C. 1506(2)), shall within five days after such condemnation file with the district director written notice of the condemnation. The date of landing in the case of merchandise forwarded under an entry for immediate transportation is the date of arrival at the port of destination.

(b) Allowance in duties. If the district director is satisfied after any necessary investigation that the claim is valid, allowance in duties shall be made in the liquidation of the entry. Such allowance shall be limited to perishable goods condemned by the health officers or authorities in the original package, unless segregation of the merchandise was under constant Customs supervision at the importer's expense.

(Sec. 506(2), 46 Stat. 732, as amended; 19 U.S.C. 1506(2))

SUBPART C-CASUALTY, LOSS, OR THEFT WHILE IN CUSTOMS CUSTODY

# § 158.21 Allowance in duties for casualty, loss, or theft while in Customs custody.

Section 563(a), Tariff Act of 1930, as amended (19 U.S.C. 1563(a)), provides for allowance in duties upon satisfactory proof of the loss or theft of any merchandise while in the public stores, or of the actual injury or destruction, in whole or in part, of any merchandise by accidental fire or other casualty, while in bonded warehouse, or in the public stores, or while in transportation under bond, or while in Customs custody although not in bond, or while within the limits of any port of entry and before having been landed under Customs supervision. Such allowance is subject to the conditions set forth in this subpart.

# § 158.22 Not applicable when allowances made under other provisions.

The procedures in this subpart do not apply in cases where allowances in duties are made under subpart A or subpart B of this part, or section 18.6 of this chapter.

## § 158.23 Filing of application and evidence by importer.

Within 30 days from the date of his discovery of the loss, theft, injury, or destruction, the importer shall file an application in duplicate on Customs Form 4315, and within 90 days from the date of discovery shall file any evidence required by section 158.26 or 158.27.

## § 158.24 Place of filing.

The application and evidence shall be filed with the district director at the port where the loss, theft, injury, or destruction occurred. In the case of total loss of merchandise by fire or other casualty while in transportation under bond, the application and evidence shall be filed with the district director at the port at which the transportation entry was made. In the case of partial destruction of or injury to such merchandise, the application and evidence shall be filed with the district director at the port of destination, except that if the merchandise is returned to the port at which the transporation entry was made, the application shall be filed at that port.

# § 158.25 Partial destruction or injury.

In the case of partial destruction or injury, no application shall be entertained unless the district director shall have had an opportunity to examine the merchandise or the remainder thereof for the purpose of fixing the percentage of injury or destruction. Whether the duty involved is ad valorem, specific, or compound, the percentage of injury for the purpose of the allowance shall be determined by comparing the market value of comparable sound merchandise with the net salvage value of the injured merchandise computed on the basis of the market value of comparable injured merchandise, such comparison to be made as of the time and place of examination.

# § 158.26 Loss or theft in public stores.

In the case of alleged loss or theft while the merchandise is in the public stores, there shall be filed a declaration of the importer, owner, or ultimate consignee that he did not receive the merchandise and that to the best of his knowledge and belief it was lost or stolen as alleged in the application. If the alleged loss or theft consisted of only a part of an examination package and was discovered after the release of

the package from Customs custody, the following evidence shall be submitted:

- (a) A declaration of each cartman, lighterman, or other carrier handling the package between the public stores and the place of delivery, setting forth the condition of the package at the time of receipt and delivery by him and whether or not there was an abstraction of the merchandise while the package was in his possession.
- (b) A declaration of the person who first received the package for the importer, owner, or ultimate consignee as to whether or not he examined the package at the time of receipt, and, if so, as to its condition at that time.
- (c) A declaration of the person who opened the package after release from Customs custody that the alleged missing merchandise was not found by him in the package or elsewhere.

## § 158.27 Accidental fire or other casualty.

In the case of injury or destruction by accidental fire or other casualty, the following evidence shall be submitted:

(a) A declaration of the master of the vessel, the conductor or driver of the vehicle, the proprietor of the warehouse or other person (except a Customs officer) having charge of the merchandise at the time of casualty, stating:

(1) The time, place, and nature of such casualty;

(2) That the merchandise was on board the vessel or vehicle, in the warehouse, or otherwise in his charge, as the case may be, at the time of the casualty; and

(3) That it was totally destroyed and there is no probability of recovering or saving any part thereof, or that it was injured as the result of the casualty.

(b) The bill of lading, the entry, and the invoice covering the merchandise, or certified copies of the foregoing, unless such documents are already in the possession of the district director at the port where the claim is filed.

(c) A copy of the insurance appraiser's report, if any.

# § 158.28 Waiver of evidence.

The district director may waive the production of any of the evidence required by this subpart if the validity of the claim is otherwise established to his satisfaction.

# § 158.29 Decision by district director.

When the application and evidence have been received and examined by the district director, he shall determine whether the desired abatement or refund of duty shall be made and notify the importer of his decision.

# § 158.30 Review of district director's decision.

(a) Filing of petition. The importer may file with the district director a petition addressed to the Commissioner of Customs for a review of the district director's decision. Such petition shall be filed in duplicate within 30 days from the date of the notice of the district director's decision, shall completely identify the case, and shall set forth in detail the objections to the district director's decision.

(b) Decision by Commissioner. When the petition has been filed, the district director shall promptly transmit both copies thereof and the entire file to the Commissioner, together with a full statement of his views. When the Commissioner's decision is received, the district director shall proceed in conformity therewith.

SUBPART D-DESTROYED, ABANDONED, OR EXPORTED MERCHANDISE

## § 158.41 Destruction of prohibited merchandise.

Merchandise regularly entered or withdrawn for consumption in good faith and denied admission into the United States by any Government agency after its release from Customs custody, pursuant to a law or regulation in force on the date of entry or withdrawal for consumption, may be destroyed under Government supervision. In such case, the destroyed merchandise is exempt from duty and any duties collected thereon shall be refunded. In lieu of destruction, the merchandise may be exported under Customs supervision in accordance with section 158.45(c).

(Sec. 558(a), 46 Stat. 744, as amended; 19 U.S.C. 1558(a))

# § 158.42 Abandonment by importer within 30 days after entry.

Allowance in duties for merchandise abandoned to the Government in accordance with section 506(1), Tariff Act of 1930, as amended (19 U.S.C. 1506(1)), shall be subject to the following conditions:

(a) Minimum quantity to be abandoned. The merchandise being abandoned shall represent 5 percent or more of the total value of all the merchandise of the same class or kind entered in the invoice in which the merchandise being abandoned appears.

(b) Application within 30 days. The importer shall file written notice of abandonment with the district director at the port where the entry was filed within 30 days after the date of entry, or, in the case of examination packages, within 30 days after release, whether or not delivery is taken by the importer immediately after entry or release as the case may be.

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(c) Delivery of merchandise. Within the 30-day period set forth in paragraph (b) of this section, the importer shall deliver the aban-

doned merchandise to such place as the district director specifies, unless the district director is satisfied that the merchandise is so far destroyed as to be nondeliverable.

(d) Identification of merchandise. The importer shall identify the abandoned merchandise with that described in the invoice used in making entry to the satisfaction of the district director, who shall make such examination as may be necessary to verify such identification.

(e) Segregation and repacking. When repacking is necessary to segregate the abandoned merchandise from the remainder of the shipment, such repacking shall be done at the expense of the importer and under Customs supervision.

(Sec. 506, 46 Stat. 732, as amended; 19 U.S.C. 1506)

## § 158.43 Abandonment or destruction of merchandise in bond.

Allowance in duties for merchandise entered under bond destroyed under section 557(c), Tariff Act of 1930, as amended (19 U.S.C. 1557(c)), or for merchandise in bonded warehouse abandoned to the Government under section 563(b), Tariff Act of 1930, as amended (19 U.S.C. 1563(b)), shall be subject to the following conditions:

(a) Application by importer. The importer shall file an application for abandonment or destruction of merchandise in bond with the district director on Customs Form 3499, with the title modified to read "Application and Permit to Abandon (or Destroy) Goods in Bond." When an application is for permission to destroy, the proposed method of destruction shall be stated in the application and be subject to the approval of the district director.

(b) Concurrence of warehouse proprietor. An application to abandon or destroy warehoused merchandise shall not be approved unless concurred in by the warehouse proprietor.

(c) Costs of abandonment. When in the opinion of the district director the abandonment of merchandise under section 563(b), Tariff Act of 1930, as amended (19 U.S.C. 1563(b)), will involve any expense or cost to the Government, or if the merchandise is worthless or unsalable, or cannot be sold for a sum sufficient to pay the expenses of sale, such abandonment shall not be permitted unless the importer deposits a sum which in the opinion of the district director will be sufficient to save the Government harmless from any expense or cost resulting from such abandonment. The sum so advanced shall be placed in a special deposit account and expended to cover the cost of destruction or to meet any deficit should the merchandise be sold and the proceeds of sale be less than the expenses of such sale. After meeting such expenses or deficit, any balance remaining shall be refunded to the importer. However, the applicant may elect to destroy such merchan-

dise under Customs supervision pursuant to the provisions of section 557(c), Tariff Act of 1930, as amended (19 U.S.C. 1557(c)).

(d) Costs of destruction. Destruction of merchandise under section 557(c), Tariff Act of 1930, as amended (19 U.S.C. 1557(c)), shall be

at the expense of the importer.

(e) Action by district director. When the conditions set forth in paragraphs (a) through (d) of this section are met, the district director may grant applications and make an allowance in duties for the merchandise abandoned or destroyed. In any case where doubt exists, the matter shall be referred to the Commissioner of Customs.

(Secs. 557, 563, 46 Stat. 744, as amended, 746, as amended; 19 U.S.C. 1557, 1563)

## § 158.44 Disposition of abandoned merchandise.

(a) General conditions. The disposition of merchandise abandoned to the Government pursuant to section 158.42 or 158.43, and not retained for official use, shall be governed by the regulations of the General Services Administration applicable to the Bureau of Customs.

(b) Sale of merchandise. If the merchandise is cleared for sale, it shall be sold in accordance with the applicable provisions of Part 20 of this chapter, unless it is worthless or it appears probable that the expenses of sale will exceed the proceeds. If the merchandise is sold,

no part of the proceeds shall be returned to the importer.

(c) Disposition of worthless merchandise. If the merchandise or any part thereof is worthless or it appears probable that the expenses of its sale will exceed the proceeds, it shall be destroyed or otherwise disposed of as the district director shall specify. The district director shall insure that such merchandise is destroyed or removed from the control of the importer to avoid the possibility of any part of the same merchandise being made the subject of another application.

(Secs. 506(1), 563(b), 46 Stat. 732, as amended, 746, as amended; 19 U.S.C. 1506(1), 1563(b))

# § 158.45 Exportation of merchandise.

- (a) From continuous Customs custody. Merchandise in Customs custody for which entry has not been completed and merchandise which has remained in continuous Customs custody that is covered by a liquidated or unliquidated consumption entry may be exported under Customs supervision in accordance with sections 18.25–18.27 of this chapter, with refund of any duties that have been paid.
- (b) After release from Customs custody. Except as provided for in paragraphs (c) and (d) of this section, no refund or other allowance in duties shall be made because of the exportation of merchan-

dise after its release from Customs custody unless a drawback of duties is expressly provided for by law (see Part 22 of this chapter).

- (c) Prohibited merchandise. If merchandise has been regularly entered or withdrawn for consumption in good faith and is thereafter found to be prohibited entry under any law of the United States, it may be exported under Customs supervision in accordance with sections 18.25–18.27 of this chapter, with refund of any duties that have been paid. In lieu of exportation, the merchandise may be destroyed in accordance with section 158.41.
- (d) Not legally marked merchandise. When merchandise found to be not legally marked is exported or destroyed under Customs supervision after once having been released from Customs custody, as provided for in section 304(c), Tariff Act of 1930, as amended (19 U.S.C. 1304(c)), such exportation or destruction shall not exempt such merchandise from the payment of duties other than the marking duties. (Sec. 558, 46 Stat. 744, as amended; 19 U.S.C. 1558)

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Section 4.12(a)(2) is amended by deleting "section 15.8(a)(2)" and substituting "section 158.3" in its place.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 8-LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

In section 8.25, paragraph (d) is amended by substituting "158.44" for "15.6".

In section 8.28, paragraph (b) is amended by substituting "subpart A of section 158" for "section 15.8".

Part 8 is amended by deleting section 8.49.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 12-SPECIAL CLASSES OF MERCHANDISE

Sections 12.6(b) and 12.15 are amended by substituting "sections 158.41 and 158.45(c)" for "sections 8.49(b) and 15.5".

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 13—EXAMINATION, MEASUREMENT, AND TESTING OF CERTAIN PRODUCTS

In section 13.10, paragraph (f), is amended by substituting "section 158.13" for "section 15.7".

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 15—RELIEF FROM DUTIES ON MERCHANDISE LOST, STOLEN, DESTROYED, INJURED, ABANDONED, OR SHORT-SHIPPED

Chapter I of title 19, Code of Federal Regulations, is amended by deleting Part 15.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 18-TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

In section 18.25, paragraph (b) is amended by substituting "section 158.45" for "section 8.49".

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

Section 24.17(a) (11) is amended by deleting reference to "sections 8.5(b), 15.2, 15.3(b), and 15.10" and substituting "sections 8.5(b), 158.11, 158.14, and 158.42" in its place.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

#### PART 147-TRADE FATRS

Section 147.46 is amended by substituting "section 158.43" for "section 15.4".

(R.S. 251, sec. 624, 46 Stat. 759; sec. 7, 73 Stat. 19; 19 U.S.C. 66, 1624, 1756)

### Parallel Reference Table

(This table shows the relation of sections in proposed Part 158 to 19 CFR Part 15.)

Revised Section	Superseded Section
158.0	New
158.1(a) & (b)	15.8(c)
158.2	15.8(a)(1)
158.3	15.8(a)(2)
158.4	15.8(a)(2) & (d)
158.5(a) & (b)	15.8(a)(3)
158.6	15.8(b)
158.11(a)	15.10(a)
158.11(b)	15.10(b)
158.12(a) & (b)	New
158.13(a)	15.7(a)
158.13(b)	15.7(b)

Revised section	Superseded Section
158.13(c)	New Intendigent
158.14(a) & (b)	
158.21	15.1(a) Ftnte. 2
158.22	15.1 Ftnote. 1
158.23	15.1(a)
158.24	15.1(b)
158.25	
158.26(a)-(c)	
158.27(a)-(e)	
158.28	15.1(q)
158.29	15.1(e)
158.30(a) & (b)	
158.41	The state of the s
158.42(a)-(e)	
158.43(a)	
158.43(b)	( )
158.43(e)	
158.43(d)	New 29 vints
158.43(e)	
158.44(a)	( )
158.44(b)	
158.44(c)	. ,
158.45(a)	
158.45(b)	, , , ,
158.45(c)	
158.45(d)	
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#### (T.D. 72-259)

### Foreign currencies-Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupee

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 11, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72-194 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to

convert such currency into currency of the United States, conversion shall be at the following daily rates:

## Ceylon rupee:

July 10, 1972	\$0.15655
July 11, 1972	. 15655
July 12, 1972	. 15655
July 13, 1972	
July 14, 1972	. 15655
July 17, 1972	
July 18, 1972	
July 19, 1972	
July 20, 1972	. 1560
July 21, 1972	. 1560
July 24, 1972	. 1560
July 25, 1972	
July 26, 1972	
July 27, 1972	
July 28, 1972	. 1565
July 31, 1972	
August 1, 1972	
August 2, 1972	
August 3, 1972	
August 4, 1972	. 1560
August 7, 1972	
August 8, 1972	
August 9, 1972	. 1560
August 10, 1972	
August 11, 1972	. 1560
August 14, 1972	
August 15, 1972	
August 16, 1972	. 1560
August 17, 1972	. 1560
August 18, 1972	
August 21, 1972	. 1560
August 22, 1972	. 1560
August 23, 1972	. 1560
August 24, 1972	. 1560
August 25, 1972	. 1565
August 28, 1972	. 1565
August 29, 1972	. 1565
August 30, 1972	
August 31, 1972	
September 1, 1972	

## Ceylon rupee:

September 4, 1972I	Holiday
September 5, 1972	. 1565
September 6, 1972	. 1565
September 7, 1972	. 1565
September 8, 1972	. 1565

Rates of exchange certified for the Ceylon rupee which vary by 5 per centum or more from the rate \$0.1680 during the balance of the calendar quarter ending September 30, 1972, will be published in a Treasury Decision for dates subsequent to September 8, 1972, and before October 1, 1972.

(342.211)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register September 28, 1972 (37 F.R. 20267)]

(T.D. 72-260)

Reimbursable services-Excess cost of preclearance operations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 20, 1972.

Notice is hereby given that pursuant to section 24.18(d), Customs Regulations (19 CFR 24.18(d)), the biweekly reimbursable excess costs for each preclearance installation are determined to be as set forth below and will be effective with the pay period beginning September 17, 1972.

Installation	Biweekly excess cost
Montreal, Canada	\$7, 397.00
Toronto, Canada	7, 349.00
Kindley Field, Bermuda	1,268.00
Nassau, Bahama Islands	3, 528. 00
Vancouver, Canada	1.058.00
Winnipeg, Canada	534.00

(140.57)

Edwin F. Rains,
Acting Commissioner of Customs.

[Published in the Federal Register September 28, 1972 (37 F.R. 20267)]

(T.D. 72-261) :sequa molyeO

### Bonds

Approval of consolidated aircraft bond (air carrier blanket bond) Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 21, 1972.

The following consolidated aircraft bond has been approved as follows:

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
Air India (Corp. under laws of India), 345 Park Ave., New York, N.Y.; Peerless Ins. Co.	Aug. 24, 1972	Aug. 29, 1972	New York Sea- port; \$100,000

The foregoing principal has not been designated as a carrier of bonded merchandise.

(232.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72–262)

Country of origin marking-Customs Regulations revised

Sections 11.8, 11.10, and 11.11 of the Customs Regulations deleted; sections 11.12(b), 11.12a(b), 11.12b(b), and 172.21(b)(3) amended; Part 134 added

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 11—PACKING AND STAMPING; MARKING; TRADEMARKS AND TRADE
NAMES; COPYRIGHTS

PART 134-COUNTRY OF ORIGIN MARKING

PART 172-LIQUIDATED DAMAGES

On February 2, 1972, notice of proposed rule making pertaining to a revision of the Customs Regulations relating to marking of articles and containers to indicate the name of the country of origin (19 CFR 11.8, 11.10, and 11.11) was published in the Federal Register (37 F.R. 2509).

After consideration of all comments received, the following changes are made in the proposed Part 134:

1. In section 134.3, in addition to the reference to "adequate security" an additional reference to section 134.53(a)(2) is added for clarity.

2. In section 134.32(m), the word "and" is substituted for "or".

3. In section 134.41(b), the words "distribution and" are added to clarify the permanency requirements.

4. In section 134.51, the heading of paragraph (a) is broadened

to "Notice to mark or redeliver."

5. In section 134.53(a) (2), a new sentence is added to clearly indicate that an entry bond may be accepted as security for the marking duty and any additional expense on account of Customs supervision. The term "adequate security" previously used in section 11.11(b) of the Customs Regulations, was always intended to require adequate coverage of the 10% marking duty and expenses of Customs supervision. The current section is more specific.

6. In section 134.54, proposed paragraph (a) is deleted as duplicative of section 134.51(a), and the remaining paragraphs are renum-

bered (a), (b), and (c).

7. In section 134.54(b), the word "prosecution" is changed to "collection" to clearly indicate this action is a civil and not a criminal matter.

There is included as part of the revision a parallel reference table showing the relationship of sections in Part 134 to the superseded sections in 19 CFR Part 11.

Accordingly, new Part 134, and the conforming changes in Parts 11 and 172 of the Customs Regulations, Chapter I, title 19 of the Code of Federal Regulations, are hereby adopted as set forth below.

Effective date. This amendment shall become effective 30 days after publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved September 21, 1972: EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register September 29, 1972 (37 F.R. 20318)]

# PART 11—PACKING AND STAMPING; MARKING; TRADEMARKS AND TRADE NAMES; COPYRIGHTS

Part 11 is amended by deleting therefrom sections 11.8, 11.10, and 11.11 and footnotes 4 through 13 thereto.

Sections 11.12(b), 11.12a(b), and 11.12b(b) are amended by substituting "section 134.55 of this chapter" for "section 11.8(m)" in the last sentence thereof.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

#### PART 134-COUNTRY OF ORIGIN MARKING

Chapter I of title 19, Code of Federal Regulations, is amended by adding a new Part 134 entitled "Country of Origin Marking" to read as follows:

#### PART 134-COUNTRY OF ORIGIN MARKING

134.0 Scope.

#### SUBPART A-GENERAL PROVISIONS

- 134.1 Definitions.
- 134.2 Additional duties.
- 134.3 Delivery withheld until marked and redelivery order.
- 134.4 Penalties for removal, defacement, or alteration of marking.

#### SUBPART B-ARTICLES SUBJECT TO MARKING

- 134.11 Country of origin marking required.
- 134.12 Foreign articles reshipped from a United States possession.
- 134.13 Imported articles repacked or manipulated.
- 134.14 Articles usually combined.

#### SUBPART C-MARKING OF CONTAINERS OR HOLDERS

- 134.21 Special marking.
- 134.22 General rules for marking of containers or holders.
- 134.23 Containers or holders designed for or capable of reuse.
- 134.24 Containers or holders not designed for or capable of reuse.

#### SUBPART D-EXCEPTIONS TO MARKING BEQUIREMENTS

- 134.31 Requirements of other agencies.
- 134.32 General exceptions to marking requirements.
- 134.33 J-List exceptions.
- 134.34 Certain repacked articles.
- 134.35 Articles substantially changed by manufacture.
- 134.36 Inapplicability of exceptions.

#### SUBPART E-METHOD AND LOCATION OF MARKING IMPORTED ARTICLES

- 134.41 Methods and manner of marking.
- 134.42 Specific method may be required.
- 134.43 Methods of marking specific articles.

- 134.44 Location and other acceptable methods of marking.
- 134.45 Approved markings of country name.
- 134.46 Marking when name of country or locality other than country of origin annears.
- 134.47 Souvenirs and articles marked with trademarks or trade names.

#### SUBPART F-ARTICLES FOUND NOT LEGALLY MARKED

- 134.51 Procedure when importation found not legally marked.
- 134.52 Certificate of marking.
- 134.53 Examination packages.
- 134.54 Articles released from Customs custody.
- 134.55 Compensation of Customs officers and employees.

AUTHORITY: The provisions of this Part 134 are issued under R.S. 251, as amended, secs. 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (Gen. Hdnote 11), 1304, 1624.

### § 134.0 Scope.

This part sets forth regulations implementing the country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). It also contains provisions regarding false or misleading marlings as to the country of origin. The consequences and procedures to be followed when articles are not legally marked are also set forth. Special marking and labeling requirements are covered elsewhere.

### SUBPART A-GENERAL PROVISIONS

#### § 134.1 Definitions.

When used in this part, the following terms shall have the meaning indicated:

- (a) Country. "Country" means the political entity known as a nation. Colonies, possessions, or protectorates outside the boundaries of the mother country are considered separate countries.
- (b) Country of origin. "Country of origin" means the country of manufacture, production, or growth of any article of foreign origin entering the United States. Further work or material added to an article in another country must effect a substantial transformation in order to render such other country the "country of origin" within the meaning of this part.
- (c) Foreign origin. "Foreign origin" refers to a country of origin other than the United States, as defined in paragraph (e) of this section, or its possessions and territories.
- (d) Ultimate purchaser. The "ultimate purchaser" is generally the last person in the United States who will receive the article in the

form in which it was imported. It is not feasible to state who will be the "ultimate purchaser" in every circumstance. The following examples may be helpful:

(1) If an imported article will be used in manufacture, the manufacturer may be the "ultimate purchaser" if he subjects the imported article to a process which results in a substantial transformation of the article, even though the process may not result in a new or different article.

(2) If the manufacturing process is merely a minor one which leaves the identity of the imported article intact, the consumer or user of the article, who obtains the article after the processing, will be regarded as the "ultimate purchaser."

(3) If an article is to be sold at retail in its imported form, the

purchaser at retail is the "ultimate purchaser."

(4) If the imported article is distributed as a gift the recipient

is the "ultimate purchaser."

(e) United States. "United States" includes all Territories and possessions of the United States, except the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.

(f) Customs territory of the United States. "Customs territory of the United States," as used in this chapter includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

# § 134.2 Additional duties.

Articles not marked as required by this part shall be subject to additional duties of 10 percent of the final appraised value unless exported or destroyed under Customs supervision prior to liquidation of the entry, as provided in paragraph (c) of section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304(c)). The 10 percent additional duty is assessable for failure either to mark the article (or container) to indicate the English name of the country of origin of the article or to include words or symbols required to prevent deception or mistake.

# § 134.3 Delivery withheld until marked and redelivery order.

Until every article (or its container) previously released and all imported articles held in Customs custody for inspection, examination or appraisement are marked, or until the estimated duties payable under 19 U.S.C. 1304(c) or adequate security therefor (see section 134.53(a)(2) of this part are deposited, articles held in Customs custody shall not be delivered and redelivery to Customs custody may be ordered of all articles previously released. Nothing in this part shall be construed as excepting any article (or its container) from

the particular requirements of marking provided for in any other provision of law.

# § 134.4 Penalties for removal, defacement, or alteration of marking.

Any intentional removal, defacement, destruction or alteration of a marking of the country of origin required by section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), and this part in order to conceal this information may result in criminal penalties of up to \$5,000 and/or imprisonment for 1 year, as provided in section 304(e), Tariff Act of 1930, as amended (19 U.S.C. 1304(e)).

#### SUBPART B-ARTICLES SUBJECT TO MARKING

## § 134.11 Country of origin marking required.

Unless excepted by law, section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that every article of foreign origin (or its container) imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or container) will permit, in such manner as to indicate to an ultimate purchaser in the United States the English name of the country of origin of the article, at the time of importation into the Customs territory of the United States. Containers of articles excepted from marking shall be marked with the name of the country of origin of the articles unless the container is also excepted from marking.

# § 134.12 Foreign articles reshipped from a United States possession.

Articles of foreign origin imported into any possession of the United States outside its Customs territory and reshipped to the United States are subject to all marking requirements applicable to like articles of foreign origin imported directly from a foreign country to the United States.

# § 134.13 Imported articles repacked or manipulated.

- (a) Marking requirement. An article within the provisions of this section shall be marked with the name of the country of origin at the time the article is withdrawn for consumption unless the article and its container are exempted from marking under provisions of subpart D of this part at the time of importation.
- (b) Applicability. The provisions of this section are applicable to the following articles:
- (1) Articles repacked in a bonded warehouse under section 19.8 of this chapter;
- (2) Articles manipulated under section 562, Tariff Act of 1930, as amended (19 U.S.C. 1562), and section 19.11 of this chapter;

(3) Articles manipulated, but not manufactured, in a foreign trade zone under section 146.32 of this chapter.

# § 134.14 Articles usually combined.

(a) Articles combined before delivery to purchaser. When an imported article is of a kind which is usually combined with another article after importation but before delivery to an ultimate purchaser and the name indicating the country of origin of the article appears in a place on the article so that the name will be visible after such combining, the marking shall include, in addition to the name of the country of origin, words or symbols which shall clearly show that the origin indicated is that of the imported article only and not that of any other article with which the imported article may be combined after importation.

(b) Example. Labels and similar articles so marked that the name of the country of origin of the label or article is visible after it is affixed to another article in this country shall be marked with additional descriptive words such as "Label made (or printed) in (name of country)" or words of similar meaning. See subpart C of this part for mark-

ing of bottles, drums, or other containers.

(c) Applicability. This section shall not apply to articles of a kind which are ordinarily so substantially changed in the United States that the articles in their changed condition become products of the United States. An article excepted from marking under subpart D of this part is not within the scope of section 304(a)(2), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(2)), and is not subject to the requirements of this section.

#### SUBPART C-MARKING OF CONTAINERS OR HOLDERS

# § 134.21 Special marking.

This subpart includes only country of origin marking requirements and exceptions under section 304(b), Tariff Act of 1930, as amended (19 U.S.C. 1304(b)), for containers or holders. Special marking may be required by the Internal Revenue Service on alcoholic beverage bottles and other requirements may be imposed by reason of the nature of the contents by other Government agencies.

# § 134.22 General rules for marking of containers or holders.

(a) Contents excepted from marking. When an article is excepted from the marking requirements by subpart D of this part, the outermost container or holder in which the article ordinarily reaches the ultimate purchaser shall be marked to indicate the country of origin of the article whether or not the article is marked to indicate its country of origin.

(b) Containers or holders treated as imported articles. Containers

or holders for imported merchandise subject to treatment as imported articles within the purview of general headnote 6, Tariff Schedules of the United States (19 U.S.C. 1202), shall be marked to indicate clearly the country of their own origin in addition to any marking which may be required to show the country of origin of their contents.

(c) Containers or holders bearing a United States address. Containers or holders of imported merchandise bearing the name and address of an importer, distributor, or other person or company in the United States shall be marked in close proximity to the United States address to indicate clearly the country of origin of the contents with a marking such as "Contents made in France" or "Contents Product of Spain."

(d) Exceptions. Containers or holders of imported articles are not required to be marked if:

(1) Excepted articles. They are containers or holders of articles within the exceptions set forth in paragraphs (f), (g), or (h) in section 134.32.

(2) Excepted containers or holders. The container or holder itself is within an exception set forth in subpart D of this part.

(3) To be filled by the importer. The container or holder is within the exception set forth in section 134.24(c).

## § 134.23 Containers or holders designed for or capable of reuse.

(a) Usual and ordinary reusable containers or holders. Containers or holders designed for or capable of reuse after the contents have been consumed, whether imported full or empty, must be individually marked to indicate the country of their own origin with a marking such as, "Container Made in (name of country)." Examples of the containers or holders contemplated are heavy duty steel drums, tanks, and other similar shipping, storage, transportation containers or holders capable of reuse. These containers or holders are subject to the treatment specified in headnote 6(b)(ii), Tariff Schedules of the United States (19 U.S.C. 1202).

(b) Other reusable containers or holders. Containers or holders within the purview of headnote 6(b)(iii), Tariff Schedules of the United States (19 U.S.C. 1202), must be individually marked to clearly indicate their own origin with a marking such as, "Container made in (name of country)." Examples of the containers contemplated are mustard jars reusable as beer mugs; shaving soap containers reusable as shaving mugs; fancy cologne bottles reusable as flower vases, and other containers which have a lasting value or decorative use.

# § 134.24 Containers or holders not designed for or capable of reuse.

(a) Containers ordinarily discarded after use. Disposable containers or holders subject to the provisions of this section are the usual ordi-

nary types of containers or holders, including cans, bottles, paper or polyethylene bags, paperboard boxes and similar containers or holders which are ordinarily discarded after the contents have been consumed.

(b) Imported empty. Disposable containers or holders imported for distribution or sale are subject to treatment as imported articles in accordance with general headnote 6(a), Tariff Schedules of the United States (19 U.S.C. 1202), and shall be marked to indicate clearly the country of their own origin. However, when the containers are packed and sold in multiple units (dozens, gross, etc.), this requirement ordinarily may be met by marking the outermost container which reaches the ultimate purchaser.

(c) Imported to be filled.

(1) If unmarked. When disposable containers or holders are imported by persons or firms who fill or package them with various products which they sell, these persons or firms are the "ultimate purchasers" of these containers or holders and they may be excepted from individual marking pursuant to 19 U.S.C. 1304(a) (3) (D). The outside wrappings or packages containing the containers shall be

clearly marked to indicate the country of origin.

(2) If marked. If the disposable containers or holders are marked with the country of origin at the time of importation and the marking will be visible after they are filled, the marking shall clearly indicate that the container only and not the contents were made in the named country. For example, bottles, drums, or other containers imported empty, to be filled in the United States, shall be marked with such words as "Bottle (or container) made in (name of country)."

(d) Imported full.

(1) When contents are excepted from marking. Usual disposable containers in use as such at the time of importation shall not be required to be marked to show the country of their own origin, but shall be marked to indicate the origin of their contents regardless of the fact that the contents are excepted from marking requirements.

(2) Sealed containers or holders. Disposable containers or holders of imported merchandise, which are sold without normally being opened by the ultimate purchaser (e.g., individually wrapped soap bars or tennis balls in a vacuum sealed can), shall be marked to indicate the

country of origin of their contents.

(3) Unsealed containers. Unsealed disposable containers of imported merchandise normally unopened by the ultimate purchaser, may be excepted from marking if the article is so marked that the country of origin is clearly visible without unpacking the container. However, if the container is normally opened by the ultimate purchaser prior to purchase, only the article need be marked.

### SUBPART D-EXCEPTIONS TO MARKING REQUIREMENTS

#### § 134.31 Requirements of other agencies.

Nothing in this subpart shall be construed as excepting any article (or its container) from the particular requirements of marking provided for in any other provision of any law, such as those of the Federal Trade Commission, Food and Drug Administration, and other agencies.

## § 134.32 General exceptions to marking requirements.

The articles described or meeting the specified conditions set forth below are excepted from marking requirements (see subpart C of this part for marking of the containers):

(a) Articles that are incapable of being marked;

(b) Articles that cannot be marked prior to shipment to the United

States without injury:

(c) Articles that cannot be marked prior to shipment to the United States except at an expense economically prohibitive of its importation;

(d) Articles for which the marking of the containers will reasonably

indicate the origin of the articles;

(e) Articles which are crude substances:

(f) Articles imported for use by the importer and not intended

for sale in their imported or any other form;

(g) Articles to be processed in the United States by the importer or for his account otherwise than for the purpose of concealing the origin of such articles and in such manner that any mark contemplated by this part would necessarily be obliterated, destroyed, or permanently concealed;

(h) Articles for which the ultimate purchaser must necessarily know the country of origin by reason of the circumstances of their importation or by reason of the character of the articles even though

they are not marked to indicate their origin:

(i) Articles which were produced more than 20 years prior to their importation into the United States;

(j) Articles entered or withdrawn from warehouse for immediate exportation or for transportation and exportation;

(k) Products of American fisheries which are free of duty;

(1) Products of possessions of the United States;

(m) Products of the United States exported and returned;

(n) Articles exempt from duty under section 8.3 or 9.6 of this chapter; and

(o) Articles which cannot be marked after importation except at an expense that would be economically prohibitive unless the importer, producer, seller, or shipper failed to mark the articles before importation to avoid meeting the requirements of the law.

#### § 134.33 J-List Exceptions.

Articles of a class or kind listed below are excepted from the requirement of country of origin marking in accordance with the provisions of section 304(a)(3)(J), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(3)(J)). However, in the case of any article described in this list which is imported in a container, the outermost container in which the article ordinarily reaches the ultimate purchaser is required to be marked to indicate the origin of its contents in accordance with the requirements of subpart C of this part. All articles are listed in Treasury Decisions 49690, 49835, and 49896. A reference different from the foregoing indicates an amendment.

#### Articles

Art, works of.

Articles classifiable under items 850.40, 850.70, 851.30, and 853.30, Tariff Schedules of the United States.

Articles entered in good faith as antiques and rejected as unauthentic.

Bagging, waste.

Bags, jute.

Bands, steel.

Beads, unstrung.

Bearings, ball, %-inch or less in diameter.

Blanks, metal, to be plated.

Bodies, harvest hat.

Bolts, nuts, and washers.

Briarwood in blocks.

Briquettes, coal or coke.

Buckles, 1 inch or less in greatest dimension.

Burlap.

Buttons.

Cards, playing.

Cellophane and celluloid in sheets bands, or strips.

Chemicals, drugs, medicinal, and similar substances, when imported in capsules, pills, tablets, lozenges, or troches.

Cigars and cigarettes.

Covers, straw bottle.

Dies, diamond wire, unmounted.

Dowels, wooden.

Effects, theatrical.

Eggs.

Feathers.

Firewood.

References

T.D. 66-153

#### Articles '

Flooring, not further manufactured than planed, tongued, and grooved.

Flowers, artificial, except bunches. Flowers, cut.

Glass, cut to shape and size for use in clocks, hand, pocket, and purse mirrors, and other glass of similar shapes and sizes, not including lenses or watch crystals.

Glides, furniture, except glides with prongs.

Hairnets.

Hides, raw.

Hooks, fish. (except snelled fish hooks)

Hoops (wood), barrel.

Laths.

Leather, except finished.

Livestock.

Lumber, sawed.

Metal bars, except concrete reinforcement bars; billets, blocks, blooms; ingots; pigs; plates; sheets; except galvanized sheets; shafting; slabs; and metal in similar forms.

Mica not further manufactured than cut or stamped to dimensions, shape or form.

Monuments.

Nails, spikes, and staples.

Natural products, such as vegetables, fruits, nuts, berries, and live or dead animals, fish and birds; all the foregoing which are in their natural state or not advanced in any manner further than is necessary for their safe transportation.

Nets, bottle, wire. Paper, newsprint.

Paper, stencil.

Paper, stock.

Parchment and vellum.

Parts for machines imported from same country as parts.

Pickets (wood).

Pins, tuning.

#### References

T. Ds. 49750; 50366(6)

T.D. 50205(3)

T. Ds. 49750; 50366(6)

#### Articles

Pipes, iron or steel, and pipe fittings of cast or malleable iron (except cast iron soil pipe and fittings). Plants, shrubs and other nursery

stock.

Plugs, tie. Poles, bamboo.

Post (wood), fence.

Pulpwood.

Rags (including wiping rags).

Rails, joint bars, and tie plates covered by item 610.20 through 610.26, Tariff Schedules of the United States.

Ribbon.

Rivets.

Rope, including wire rope; cordage; cords; twines, threads, and yarns.

Scrap and waste.

Screws.

Shims, track.

Shingles (wood), bundles of (except bundles of red-cedar shingles).

Skins, fur, dressed or dyed.

Skins, raw fur.

Sponges.

Springs, watch.

Stamps, postage and revenue, and other articles covered in item 274.40, Tariff Schedules of the United States.

Staves (wood), barrel.

Steel, hoop,

Sugar, maple.

Ties (wood), railroad.

Tiles, not over 1 inch in greatest dimension.

Timbers, sawed.

Tips, penholder.

Trees, Christmas.

Weights, analytical and precision in sets.

Wicking, candle.

Wire, except barbed.

References

TD 71\_80

T.D. 66-153

T. Ds. 49750; 51802

# § 134.34 Certain repacked articles.

(a) Exception for repacked articles. An exception under section 134.32(d) may be authorized in the discretion of the district director for imported articles which are to be repacked after release from Customs custody under the following conditions:

(1) The containers in which the articles are repacked will indicate the origin of the articles to an ultimate purchaser in the United States.

(2) The importer arranges for supervision of the marking of the containers by Customs officers at the importer's expense or secures such vertification, as may be necessary, by certification and the submission of a sample or otherwise, of the marking prior to the liquidation of the entry.

(b) Liquidation of entries. The liquidation of such entries may be deferred for a period of not more than 60 days from the date that a request for repacking is granted. Extensions of the 60-day deferral period may be granted by the district director in his discretion upon written application by the importer.

## § 134.35 Articles substantially changed by manufacture.

An article used in the United States in manufacture which results in an article having a name, character, or use differing from that of the imported article, will be within the principle of the decision in the case of United States v. Gibson-Thomsen Co., Inc., 27 C.C.P.A. 267 (C.A.D. 98). Under this principle, the manufacturer or processor in the United States who converts or combines the imported article into the different article will be considered the "ultimate purchaser" of the imported article within the contemplation of section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)), and the article shall be excepted from marking. The outermost containers of the imported articles shall be marked in accord with this part.

## § 134.36 Inapplicability of exceptions.

(a) Processed articles capable of marking. An article which is to be processed in the United States by the importer or for his account shall not be considered to be within the specifications of section 304(a) (3) (G), of the Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(3)(G)), if there is a reasonable method of marking which will not be obliterated, destroyed, or permanently concealed by such processing.

(b) Articles or container bearing misleading markings. An exception from marking shall not apply to any article or retail container bearing any words, letters, names, or symbols described in section 134.46 or section 134.47 which imply that an article was made or produced in a country other than the actual country of origin.

SUBPART E-METHOD AND LOCATION OF MARKING IMPORTED ARTICLES

# § 134.41 Methods and manner of marking.

(a) Suggested methods of marking. Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that the marking of the country of origin be legible, indelible and permanent. Definite methods of marking are prescribed only for articles provided for in section 134.43 and for articles which are the objects of special rulings by the Commissioner of Customs. As a general rule, marking requirements are best met by marking worked into the article at the time of manufacture. For example, it is suggested that the country of origin on metal articles be die sunk, molded in or etched; on earthenware or chinaware be glazed on in the process of firing; and on paper articles be imprinted.

(b) Degree of permanence and visibility. The degree of permanence should be at least sufficient to insure that in any reasonably foreseeable circumstance, the marking shall remain on the article (or its container) until it reaches the ultimate purchaser unless it is deliberately removed. The marking must survive normal distribution and store handling. The ultimate purchaser in the United States must be able

to find the marking easily and read it without strain.

### § 134.42 Specific method may be required.

Marking merchandise by specific methods, such as die stamping, cast-in-the-mold lettering, etching, or engraving, or cloth labels may be required by the Commissioner of Customs in accordance with section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)). Notices of such rulings shall be published in the Federal Register and the Customs Bulletin.

### § 134.43 Methods of marking specific articles.

(a) Marking required by certain provisions of the Tariff Act of 1930. Articles such as knives, clippers, shears, safety razors, surgical instruments, scientific and laboratory instruments, pliers, pincers, vacuum containers, and parts thereof shall be marked legibly and conspicuously by die stamping, cast-in-the-mold lettering, etching (acid or electrolytic), engraving, or by means of metal plates which bear the prescribed marking and which are securely attached to the article in a conspicuous place by welding, screws, or rivets. The articles such as those referred to are classifiable under the following items of the Tariff Schedules of the United States:

545.31-545.37	650.79-650.91	709.13	710.61
648.63	651.13	709.15	710.63
648.71	660.92-660.94	709.19-709.27	710.76
648.73	661.70	709.56	710.80
648.75	661.90	710.04	711.08
648.81	661.95	710.08	711.25
648.85	683.40	710.12	711.42
648.91	683.95	710.36	711.45
649.71-650.49	684.40	710.42	711.88
650.61-650.75	686.70	710.50	712.15
	708.78	710.60	712.20
	708.82		712.47-712.49
	709.07		726.10

(b) Watch, clock, and timing apparatus. The country of origin marking requirements on watches, clocks, and timing apparatus are intensive and require special methods. (See section 11.9 of this chapter and schedule 7, part 2, subpart E, headnotes 4 and 5 of the Tariff Schedules of the United States (19 U.S.C. 1202)).

## § 134.44 Location and other acceptable methods of marking.

(a) Other acceptable methods. Except for articles classifiable under an item specified in paragraph 134.43 of this part or the subject of a ruling by the Commissioner of Customs, any method of marking at any location insuring that country of origin will conspicuously appear on the article shall be acceptable. Such marking must be legible and sufficiently permanent so that it will remain on the article (or its container when the container and not the article is required to be marked) until it reaches the ultimate purchaser unless deliberately removed.

(b) Articles marked with paper sticker labels. If paper sticker or pressure sensitive labels are used, they must be affixed in a conspicuous place and so securely that unless deliberately removed they will remain on the article while it is in storage or on display and until it is

delivered to the ultimate purchaser.

(c) Articles marked with tags. When tags are used, they must be attached in a conspicuous place and in a manner which assures that unless deliberately removed they will remain on the article until it reaches the ultimate purchaser.

# § 134.45 Approved markings of country name.

(a) English language. The markings required by this part shall include the English name of the country of origin, unless other marking to indicate the English name of the country of origin is specifically authorized by the Commissioner of Customs. Notice of acceptable markings other than the English name of the country of origin shall be published in the Federal Register and the Customs Bulletin.

(b) Abbreviations and variant spellings. Abbreviations which unmistakably indicate the name of a country, such as "Gt. Britain" for "Great Britain" or "Luxemb" and "Luxembg" for "Luxembourg" are acceptable. Variant spellings which clearly indicate the English name of the country of origin, such as "Brasil" for "Brazil" and "Italie" for

"Italy," are acceptable.

(c) Adjectival form. The adjectival form of the name of a country shall be accepted as a proper indication of the name of the country of origin of imported merchandise provided the adjectival form of the name does not appear with other words so as to refer to a kind or species of product. For example, such terms as "English walnuts" or "Brazil nuts" are unacceptable.

(d) Colonies, possessions, or protectorates. The name of a colony, possession, or protectorate outside the boundaries of the mother country shall usually be considered acceptable marking. When the Commissioner of Customs finds that the name is not sufficiently well know to insure that the ultimate purchasers will be fully informed of the country of origin, or where the name appearing alone may cause confusion, deception, or mistake, clarifying words shall be required. In such cases, the Commissioner of Customs shall specify in decisions published in the Federal Register and the Customs Bulletin the additional wording to be used in conjunction with the name of the colony, possession, or protectorate.

# § 134.46 Marking when name of country or locality other than country of origin appears.

In any case in which the words "United States," or "American," the letters "U.S.A.," any variation of such words or letters, or the name of any city or locality in the United States, or the name of any foreign country or locality other than the country or locality in which the article was manufactured or produced, appear on an imported article or its container, there shall appear, legibly and permanently, in close proximity to such words, letters or name, and in at least a comparable size, the name of the country of origin preceded by "Made in," "Product of," or other words of similar meaning.

# § 134.47 Souvenirs and articles marked with trademarks or trade names.

When as part of a trademark or trade name or as part of a souvenir marking, the name of a location in the United States or "United States" or "America" appear, the article shall be legibly, conspicuously, and permanently marked to indicate the name of the country of origin of the article preceded by "Made in," "Product of," or other similar words, in close proximity or in some other conspicuous location.

#### SUBPART F-ARTICLES FOUND NOT LEGALLY MARKED

# § 134.51 Procedure when importation found not legally marked.

- (a) Notice to mark or redeliver. When articles or containers are found upon examination not to be legally marked, the district director shall notify the importer on Customs Form 4647 to arrange with the district director's office to properly mark the articles or containers, or to return all released articles to Customs custody for marking, exportation, or destruction.
- (b) Identification of articles. When an imported article which is not legally marked is to be exported, destroyed, or marked under Cus-

toms supervision, the identity of the imported article shall be established to the satisfaction of the district director.

(c) Supervision. Verification of marking, exportation, or destruction of articles found not to be legally marked shall be at the expense of the importer and shall be performed under Customs supervision unless the district director accepts a certificate of marking as provided for in section 134.52 in lieu of marking under Customs supervision.

## § 134.52 Certificate of marking.

(a) Applicability. District directors may accept certificates of marking supported by samples of articles required to be marked, for which Customs Form 4647 was issued, from importers or from actual owners complying with the provision of section 8.18(d) of this chapter, to certify that marking of the country of origin on imported articles as required by this part has been accomplished.

(b) Filing of certificates of marking. The certificates of marking shall be filed in duplicate with the district director, and a sample of the marked merchandise shall accompany the certificate. The district director may waive the production of the marked sample when he is sat-

isfied that the submission of such sample is impracticable.

(c) Notice of acceptance. The district director shall notify the importer or actual owner when the certificate of marking is accepted. Such notice of acceptance may be granted on the duplicate copy of the certificate of marking by use of a stamped notation of acceptance. The district director is authorized to spot check the marking of articles on which a certificate has been filed. If a spot check is performed, the approved copy of the certificate, if approval is granted, shall be returned to the importer or actual owner after the spot check is completed.

(d) Filing of false certificate of marking. If a false certificate of marking is filed with the district director indicating that goods have been properly marked when in fact they have not been so marked, a seizure shall be made or claim for forfeiture value reported under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592). In addition, in cases involving willful deceit, a criminal case report may be made charging a violation of section 1001, title 18, United States Code, which provides for a fine up to \$10,000 and/or imprisonment up to five years for anyone who willfully conceals a material fact or uses any document knowing the same to contain any false or fraudulent statement in connection with any matter within the jurisdiction of an agency of the United States.

(e) Authority to require physical supervision when deemed necessary. The district director may require physical supervision of marking as specified in section 134.51(c) in those cases in which he determines

that such action is necessary to insure compliance with this part. In such cases the expenses of the Customs officer shall be reimbursed to the Government as provided for in section 134.55.

## § 134.53 Examination packages.

(a) Site of marking.

(1) Customs custody. Articles (or containers) in examination packages may be marked by the importer at the place where they have been discharged from the importing or bonded carrier or in

the public stores.

(2) Importer's premises or elsewhere. If it is impracticable to mark the articles (or containers) in examination packages as provided in subparagraph (1), the merchandise may be turned over to the importer after the amount of duty estimated to be payable under 19 U.S.C. 1304(c) has been deposited to insure compliance with the marking requirements and the payment of any additional expense which will be incurred on account of Customs supervision. (See section 134.55.) The district director may at his discretion accept the entry bond as security for the requirements of 19 U.S.C. 1304(c) and (d).

(b) Failure to export, destroy, or properly mark merchandise in examination packages. If the articles (or containers) in examination packages are not exported, destroyed, or properly marked by the importer within a reasonable time (not more than 30 days), they shall be sent to general-order stores for disposition in accordance with Part 20 of this chapter, unless covered by a warehouse entry. If covered by a warehouse entry, they shall be sent to the warehouse containing the rest of the shipment for marking prior to withdrawal.

§ 134.54 Articles released from Customs custody.

(a) Demand for liquidated damages. If within 30 days from the date of the notice of redelivery the importer does not redeliver or properly mark all merchandise previously released to him, the district director shall demand payment of liquidated damages incurred under the bond in an amount equal to the entered value of the articles not returned, plus any estimated duty thereon as determined at the time of entry.

(b) Failure to petition for relief. A written petition addressed to the Commissioner of Customs for relief from the payment of liquidated damages may be filed with the district director in accord with Part 172 of this chapter. If a petition for relief from the payment of liquidated damages is not filed or payment of the liquidated damages is not made within a period of 60 days after the demand for payment, or if the liquidated damages are not paid within 60 days after the denial of the petition for relief, the district director shall in accord

with Part 172 of this chapter report the matter to the United States attorney for collection.

(c) Relief from full liquidated damages. Any relief from the payment of the full liquidated damages incurred will be contingent upon the deposit of the marking duty required by section 304(c) of the Tariff Act of 1930, as amended (19 U.S.C. 1304(c)), and the satisfaction of the district director that the importer was not guilty of negligence or bad faith in permitting the illegally marked articles to be distributed, has been diligent in attempting to secure compliance with the marking requirements, and has attempted by all reasonable means to effect redelivery of the merchandise.

## § 134.55 Compensation of Customs officers and employees.

(a) Time for which compensation is charged. The time for which compensation is charged shall include all periods devoted to supervision and all periods during which Customs officers or employees are away from their regular posts of duty by reason of such assignment and for which compensation to such officers and employees is provided for by law.

(b) Applicability.

(1) Official hours. The compensation of Customs officers and employees assigned to supervise the exportation, destruction, or marking of articles so as to exempt them from the application of marking duties shall be computed in accordance with section 19.5(b) of this chapter when such supervision is performed during a regularly scheduled tour of duty.

(2) Overtime. When such supervision is performed by a Customs officer or employee in an overtime status, the compensation with respect to the overtime shall be computed in accordance with section 24.16 of

this chapter.

(c) Expenses included. In formulating charges for expenses pertaining to supervision of exportation, destruction, or marking, there shall be included all expenses of transportation, per diem allowance in lieu of subsistence, and all other expenses incurred by reason of such supervision from the time the Customs officer leaves his official station until he returns thereto.

(d) Services rendered for more than one importer. If the importations of more than one importer are concurrently supervised, the service rendered for each importer shall be regarded as a separate assignment, but the total amount of the compensation, and any expenses properly applicable to more than one importer, shall be equitably apportioned among the importers concerned.

# PART 172—LIQUIDATED DAMAGES

Section 172.21(b) (3) is amended by substituting "section 134.54(c)" for "section 11.11(d)" in the parenthetical matter at the end thereof. (R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

# Parallel Reference Table

(This table shows the relation of sections in revised Part 134 to superseded 19 CFR Part 11)

Revised Section	Superseded Section
134.0	None
134.1(a)	11.8(a)
134.1(b)	11.8(c)
134.1(e)	None
134.1 (d)	11.8(e)
134.1(e)	None
134.1(e) 134.1(f)	None
134.2	11.8(k)
134.3	None
134.4	None
134.11	None
134.12	11.8(f)
134.12	11.8(l)
134.14(a)-(c)	11.8(g)
134.21	None
134.22(a)	11.8(h)&(i)
134.22(b)	11.8(j)
134.22(c)	None
134.22(d)	11.8(i)
134.23(a)	None
134.23(b)	None
134.24(a)	None
134.24(b)	11.8(j)
134.24(e)(1)	None
134.24(c)(2)	11.8(g)
134.24(d)(1)-(3)	None
134.31	None
134.32	11.10(a)&(b)
134.33	11.10(a)
134.34(a)&(b)	11.10(a)
134.35	11.8(e)
134.36(a)&(b)	11.10(a)

Revised Section	Superseded Section
134.41(a)	11.8(a)&(d)
134.41(b)	11.8(d)
134.42	None
134.43(a)	11.8(d)
134.43(b)	11.9
134.44(a)-(c)	11.8(d)
134.45(a)-(c)	11.8(b)
134.45(d)	11.8(a)
134.46	11.8(a) (1&2)
134.47	
134.51(a)	11.11(a)
134.51(b)	11.8(k)
134.51(c)	11.11(a)
134.52(a)-(e)	None
134.53(a)(1)-(2)	
134.53(b)	11.11(b)
134.54(a)	
134.54(b)&(c)	11.11(c)&(d)
134.55 (a) – (d)	

#### (T.D. 72-263)

# Antidumping-Instant potato granules from Canada

The Secretary of the Treasury makes public a finding of dumping with respect to instant potato granules from Canada. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., September 25, 1972.

#### TITLE 19—CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that instant potato granules from Canada are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of June 7, 1972 (37 F.R. 11361, F.R. 72-8684).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on September 7, 1972, it notified the Secretary of the Treasury that an industry in the United States is likely to be injured by reason of the importation of instant potato granules from Canada sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of September 12, 1972 (37 F.R. 18505, F.R. 72–15501).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with

respect to instant potato granules from Canada.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Instant Potato Granules	Canada	72-263

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

EUGENE T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register September 27, 1972 (37 F.R. 20175)]

# Ministry 1 and 1 askers (T.D. 72-264)

Tonnage tax and light money, Ryukyu Islands—Customs Regulations amended

Revocation of tonnage tax and light money exemption for vessels entering from the Ryukyu Islands; section 4.21(b) (15), Curtoms Regulations, amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 4-VESSELS IN FOREIGN AND DOMESTIC TRADES

On June 24, 1961, following assumption by the United States of jurisdiction over the Ryukyu Islands, Treasury Decision 55406 was published in the Federal Register (26 F.R. 5670), for the purpose of exempting vessels from ports of those islands from the payment of tonnage tax and light money. This ruling was made on the basis that those

exactions under Revised Statute 4219, as amended (46 U.S.C. 121), and Revised Statute 4225 (46 U.S.C. 128), are directed only against vessels entering from a foreign port. The Ryukyu Islands were then added to the list of exemptions found in section 4.21(b) (15), Customs Regulations.

The Department of State advised the Bureau of Customs on July 21, 1972, that pursuant to an agreement between the United States and Japan concerning the Ryukyu and Daito Islands, on May 15, 1972,

Japan resumed control over those island groups.

The cited statutes make collection of tonnage taxes and light money mandatory, since Ryukyu Islands ports are again considered foreign. Accordingly, the exemption in favor of vessels from the Ryukyu Islands is revoked effective May 15, 1972. Thereafter, those vessels were subject to the payment of tonnage taxes and light money.

To reflect the revocation, section 4.21(b) (15) of the Customs Regulations, is amended by the deletion of "the Ryukyu Islands" after

"American Samoa" in the list of islands therein.

(R.S. 4219, as amended, 4225, 4227; 5 U.S.C. 301, 46 U.S.C. 121, 128,

135)

The resumption of payment of tonnage taxes and light money is made mandatory by statute and the amendment merely reflects this revocation. Therefore, good cause is found to waive notice and public procedure, as unnecessary under 5 U.S.C. 553(b) (B).

(014.1)

EDWIN F. RAINS,

Acting Commissioner of Customs.

Approved September 21, 1972:

EUGENE T. ROSSIDES, MINISTER AND TO THE SECOND STREET

Assistant Secretary of the Treasury.

[Published in the Federal Register September 29, 1972, (37 F.R. 20317)]

#### (T.D. 72–265)

# Foreign currencies-Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupee

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 21, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from

the quarterly rate published in Treasury Decision 72-194 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Ceylon rupee:

September 11, 1972	\$0.1565
September 12, 1972	. 1560
September 13, 1972	. 1565
September 14, 1972	. 1560
September 15, 1972	.1560

Rates of exchange certified for the Ceylon rupee which vary by 5 per centum or more from the rate \$0.1680 during the balance of the calendar quarter ending September 30, 1972, will be published in a Treasury Decision for dates subsequent to September 15, 1972, and before October 1, 1972.

(342.211)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

[Published in the Federal Register October 3, 1972 (37 F.R. 20730)]

#### (T.D. 72-266)

Trademarks, trade names, and copyrights—Customs Regulations
revised

Sections 11.14 through 11.21 of the Customs Regulations deleted; section 24.12 amended; Part 133 added

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 11—PACKING AND STAMPING; MARKING; TRADEMARKS AND TRADE
NAMES; COPYRIGHTS

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURES

PART 133-TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

On December 19, 1970, notice of proposed rule making pertaining to a revision of the Customs Regulations relating to trademarks, trade names, and copyrights (19 CFR 11.14-11.21) was published in the

Federal Register (35 F.R. 19269). An extension of time for filing comments to April 19, 1971, was granted (36 F.R. 3527).

After consideration of all comments received, the following changes are made in the proposed Part 133:

- 1. Section 133:0 is revised to more adequately explain the provisions contained in Part 133.
- 2. Paragraph (b) of section 133.1 is changed by inserting the words "or denial" after the word "approval", and by consolidating the references to the provisions under which applications are filed.

3. In the center heading for subpart C, the word "infringing" is

changed to "bearing".

- 4. Paragraph (b) of section 133.21 is changed by inserting the words "seizure and" after the words "subject to".
  - 5. Paragraph (c) of section 133.21 is changed as follows:

In subparagraph (2), the cross-reference "(see sections 133.2(d)) and 133.12 (d))" is inserted before the semi-colon.

Subparagraph (6) is rephrased to provide for those situations in which a general consent is filed with the Bureau, as well as cases in which the importer obtains written consent to a specific importation.

- 6. Paragraph (c) of section 133.23 is changed to permit an addressee appearing in person to obtain skillful removal of marks, and to delete the procedure permitting the package to be sent to the addressee for removal.
  - 7. Section 133.31 is changed as follows:

A new paragraph (b) is inserted stating the persons eligible to record a copyright, and paragraphs (b) and (c) are redesignated as (c) and (d) respectively.

In redesignated paragraph (d), the words "or denial" are inserted after the word "approval", and the references to provisions under which applications are filed are consolidated.

8. Section 133.32 is changed as follows:

Paragraphs (b) and (c) are designated as (c) and (e) respectively. Requirements that the application contain a statement setting forth the circumstances of actual or potential injury if the applicant claims such injury by reason of importations of works eligible for recordation of copyright, and that the foreign title of the work be identified if it differs from the United States title are added as paragraphs (b) and (d) respectively.

Redesignated paragraph (e) is changed by inserting the word "first" before the word "publication" the first two times that word appears. 9. Section 133.33 is changed as follows:

In subparagraph (1) of paragraph (a), the cross-reference is changed to read "section 133.32(e)", and the second sentence is rephrased to more clearly state the nature of the document to be filed showing ownership interest and the circumstances in which it is required.

In subparagraph (2) of paragraph (a), the words "reproduced on paper" are inserted after the word "likenesses", and a sentence is added providing for the submissions relating to a component part to accom-

pany an application for an entire copyrighted work.

10. Section 133.34 is changed as follows:

Paragraph (b) is rephrased to show that the term of recordation of a copyright is so-extensive with the ownership interest of the recordant.

Paragraph (c) is changed by inserting after the word "canceled" the words "upon the request of the recordant or" to provide for cancellation at the instance of the recordant.

11. Section 133.35 is changed as follows:

In paragraph (a), the word "new" before the word "owner" is deleted.

In paragraph (b), subparagraph (1) is rephrased to clearly indicate the type of document required to show ownership interest.

12. In paragraph (a) of section 133.36, the words "title to be presently in the name as changed" are changed to read "the change in the name of the owner".

13. In paragraph (a) of section 133.37, the words "copyright registration" are changed to read "term of the copyright" in the first sentence, and subparagraphs (1) and (2) are rephrased to clearly state the information required as part of an application to renew Customs recordation of a copyright.

14. In section 133.42, paragraph (b) is redesignated as (c), and paragraph (a) is divided into paragraphs (a) and (b) to separately

state the definition of piratical copies.

15. In section 133.43, paragraph (b) is changed by substituting 30 days for 10 days and deleting ", exclusive of any intervening Saturday, Sunday, or holiday," to provide a reasonable time for the copyright owner to make representations as to piratical copying.

16. Section 133.45 is changed as follows:

The heading of the section, and the heading of paragraph (b) are clarified.

Paragraph (c) is rephrased to clarify the provision pertaining to release of works under the Universal Copyright Convention.

17. In section 133.51, subparagraph (3) of paragraph (b) is rephrased to clarify its application only to books or periodicals manufactured abroad contrary to the terms of the "American manufacturing clause" of the Copyright Act.

18. Paragraph (b) of section 133.52 is changed to clarify the disposition of articles forfeited for violation of the copyright laws.

In addition, editorial corrections are made in sections 133.6, 133.13, and 133.15, and in the heading of section 133.46.

There is included as part of the revision a parallel reference table showing the relationship of sections in Part 133 to superseded sections in 19 CFR Parts 11 and 24.

Accordingly, new Part 133, and the conforming changes in Parts 11 and 24 of the Customs Regulations, Chapter I, title 19 of the Code of Federal Regulations, are hereby adopted as set forth below.

Effective date. These amendments shall become effective 30 days after publication in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved September 21, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register October 3, 1972 (37 F.R. 20677)]

PART 11—PACKING AND STAMPING; MARKING; TRADEMARKS AND TRADE
NAMES; COPYRIGHTS

The heading of Part 11 is amended to read "Part 11—Packing and Stamping; Marking."

Part 11 is amended by deleting sections 11.14 through 11.21.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 24-CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

In section 24.12, paragraph (a)(1) is amended by deleting subdivision (i).

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

PART 133-TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

Chapter I of title 19 of the Code of Federal Regulations is amended by adding Part 133 entitled, "Trademarks, Trade Names, and Copyrights" as follows:

#### PART 133-TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

133.0 Scope.

#### SUBPART A-BECORDATION OF TRADEMARKS

- 133.1 Recordation of trademarks.
- 133.2 Application to record trademark.
- 133.3 Documents and fee to accompany application.
- 133.4 Effective date, term, and cancellation of trademark recordation and renewals.
- 133.5 Change of ownership of recorded trademark.
- 133.6 Change in name of owner of recorded trademark.
- 133.7 Renewal of trademark recordation.

#### SUBPART B-RECORDATION OF TRADE NAMES

- 133.11 Trade names eligible for recordation.
- 133.12 Application to record a trade name.
- 133.13 Documents and fee to accompany application.
- 133.14 Publication of trade name recordation.
- 133.15 Term of Customs trade name recordation.

#### SUBPART C-IMPORTATIONS BEARING RECORDED TRADEMARKS OR TRADE NAMES

- 133.21 Restrictions on importation of articles bearing recorded trademarks and trade names.
- 133.22 Detention of articles subject to restrictions.
- 133.23 Release of detained articles.
- 133.24 Demand for redelivery of released merchandise.

#### SUBPART D-RECORDATION OF COPYRIGHTS

- 133.31 Recordation of copyrighted works.
- 133.32 Application to record copyright.
- 133.33 Documents and fee to accompany application.
- 133.34 Effective date, term, and cancellation of recordation.
- 133.35 Change of ownership of recorded copyright.
- 133.36 Change in name of owner of recorded copyright.
- 133.37 Renewal of copyright recordation.

#### SUBPART E-IMPORTATIONS VIOLATING COPYRIGHT LAWS

- 133.41 False notice of copyright.
- 133.42 Piratical copies.
- 133.43 Procedure on suspicion of piratical copying.
- 133.44 Decision of disputed claim of piratical copying.
- 133.45 United States manufacturing requirements for books and periodicals.
- 133.46 Demand for redelivery of released articles.

# SUBPART F—PROCEDURE FOLLOWING FORFEITURE OR ASSESSMENT OF LIQUIDATED DAMAGES

- 133.51 Relief from forfeiture or liquidated damages.
- 133.52 Disposition of forfeited merchandise.
- 133.53 Refund of duty.

AUTHORITY: The provisions of this Part 133 issued under R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624. Subpart D also issued under sec. 109, 61 Stat. 664, 17 U.S.C. 109.

#### § 133.0 Scope.

This part provides for the recordation of trademarks, trade names, and copyrights with the Bureau of Customs for the purpose of prohibiting the importation of certain articles. It also sets forth the procedures for the disposition of articles bearing prohibited marks or names, and copyrighted or piratical articles, including release to the importer in appropriate circumstances.

#### SUBPART A-RECORDATION OF TRADEMARKS

#### § 133.1 Recordation of trademarks.

(a) Eligible trademarks. Trademarks registered by the United States Patent Office under the Trademark Act of March 3, 1881, the Trademark Act of February 20, 1905, or the Trademark Act of 1946, (15 U.S.C. 1051 et. seq.) except those registered on the supplemental register under the 1946 Act (15 U.S.C. 1096), may be recorded with the Bureau of Customs if the registration is current.

(b) Notice of recordation and other action. Applicants and recordants will be notified of the approval or denial of an application filed in accordance with sections 133.2, 133.5, 133.6, and 133.7 of this

subpart.

(Secs. 28, 42, 60 Stat. 436, 440; 15 U.S.C. 1096, 1124)

# § 133.2 Application to record trademark.

An application to record one or more trademarks shall be in writing, addressed to the Commissioner of Customs, Washington, D.C.

20226, and shall include the following information:

(a) The name, complete business address, and citizenship of the trademark owner or owners (if a partnership, the citizenship of each partner; if an association or corporation the State, country or other political jurisdiction within which it was organized, incorporated, or created);

(b) The places of manufacture of goods bearing the recorded

trademark:

(c) The name and principal business address of each foreign person or business entity authorized or licensed to use the trademark and a statement as to the use authorized; and

(d) The identity of any parent or subsidiary company or other foreign company under common ownership or control which uses the trademark abroad. For this purpose:

(1) "Common ownership" means individual or aggregate owner-

ship of more than 50% of the business entity; and

(2) "Common control" means effective control in policy and operations and is not necessarily synonymous with common ownership.

(Sec. 42, 60 Stat. 440; 15 U.S.C. 1124)

# § 133.3 Documents and fee to accompany application.

(a) Documents. The application shall be accompanied by:

 A status copy of the certificate of registration certified by the United States Patent Office showing title to be presently in the name

of the applicant; and

(2) Seven hundred copies of this certificate, or of a United States Patent Office facsimile. The copies may be reproduced privately and shall be on paper approximately 8½" by 11" in size. If the certificate consists of 2 or more pages, the copies may be reproduced on both sides

of the paper.

(b) Fee. The application shall be accompanied by a fee of \$100 for each trademark to be recorded. However, if the trademark is registered for more than one class of goods (see 37 CFR Part 6) the fee for recordation shall be \$100 for each class for which the applicant desires to record the trademark with the Bureau of Customs. For example, to secure recordation of a trademark registered for three classes of goods, a fee of \$300 is payable. The check or money order shall be made payable to the Bureau of Customs.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

# § 133.4 Effective date, term, and cancellation of trademark recordation and renewals.

(a) Effective date. Recordation of trademark and protection thereunder shall be effective on the date an application for recordation is approved, as shown on the recordation notice issued by the Bureau of Customs instructing Customs officers as to the terms and conditions of import protection appropriate.

(b) Term. The recordation or renewal of an existing recordation of a trademark shall remain in force concurrently with the 20-year current registration period or last renewal thereof in the Patent Office.

(c) Cancellation of recordation. Recordation of a trademark with the Bureau of Customs shall be canceled if the trademark registration is finally canceled or revoked.

(Sec. 42, 60 Stat. 440; 15 U.S.C. 1124)

# § 133.5 Change of ownership of recorded trademark.

If there is a change in ownership of a recorded trademark and the new owner wishes to continue the recordation with the Bureau of Customs, he shall apply therefor by: (a) Complying with section 133.2;

(b) Describing any time limit on the rights of ownership transferred:

(c) Submitting a status copy of the certificate of registration certified by the United States Patent Office showing title to be presently

in the name of the new owner; and

(d) Paying a fee of \$40 which covers all trademarks included in the application which have been previously recorded with the Bureau of Customs. The check or money order shall be payable to the Bureau of Customs.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

#### § 133.6 Change in name of owner of recorded trademark.

If there is a change in the name of the owner of a recorded trademark, but no change in ownership, written notice thereof shall be given to the Commissioner of Customs, accompanied by:

(a) A status copy of the certificate of registration certified by the United States Patent Office showing title to be presently in the name

as changed; and

(b) A fee of \$40 which covers all trademarks included in the application which have been previously recorded with the Bureau of Customs. The check or money order shall be payable to the Bureau of Customs.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

#### § 133.7 Renewal of trademark recordation.

(a) Application to renew. To continue uninterrupted Customs protection for trademarks, the trademark owner shall submit a written application to renew Customs recordation to the Commissioner of Customs not later than 3 months after the date of expiration of the current 20-year trademark registration issued by the Patent Office. A timely application to renew a Customs recordation must include the following:

(1) A status copy of the certificate of registration certified by the United States Patent Office showing renewal of the trademark

and title to be in the name of the applicant;

(2) A statement describing any change of ownership or in the name of owner, in compliance with sections 133.5 and 133.6 of this part, and any change of addresses of owners or places of manufacture; and

(3) A fee of \$40 which covers all recordation renewals submitted with the fee. The check or money order shall be made payable to the Bureau of Customs.

(b) Delayed application. Upon request made during the grace period of 3 months afforded by paragraph (a), a trademark owner whose application for renewal of recordation is unavoidably delayed may be afforded a reasonable extended period within which to comply with the requirements of paragraph (a) of this section. The request shall be in writing, addressed to the Commissioner of Customs, and shall set forth the circumstances due to which application is delayed.

(c) Untimely application. Failure of the trademark owner to submit a renewal application within the 3-month grace period afforded in accordance with paragraph (a) of this section or within an extension of time granted in accordance with paragraph (b), shall deprive the trademark owner of the renewal process. A delinquent applicant will be required to apply anew to record the renewed trademark in accordance with the procedures and requirements of sections 133.2 and 133.3.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

#### SUBPART B-RECORDATION OF TRADE NAMES

#### § 133.11 Trade names eligible for recordation

The name or trade style used for at least 6 months to identify a manufacturer or trader may be recorded with the Bureau of Customs. Words or designs used as trademarks, whether or not registered in the Patent Office shall not be accepted for recordation as a trade name. Generally, the complete business name will be recorded unless convincing proof establishes that only a part of the complete name is customarily used.

(Sec. 42, 60 Stat. 440; 15 U.S.C. 1124)

# § 133.12 Application to record a trade name.

An application to record a trade name shall be in writing addressed to the Commissioner of Customs, Washington, D.C. 20226, and shall

include the following information:

(a) The name, complete business address, and citizenship of the trade name owner or owners (if a partnership, the citizenship of each partner; if an association or corporation, the State, country, or other political jurisdiction within which it was organized, incorporated or created);

(b) The name or trade style to be recorded;

(c) The name and principal business address of each foreign per-

son or business entity authorized or licensed to use the trade name and a statement as to the use authorized:

(d) The identity of any parent or subsidiary company, or other foreign company under common ownership or control which uses the trade name abroad (see section 133.2(d)); and

(e) A description of the merchandise with which the trade name is associated.

(Sec. 42, 60 Stat. 440; 15 U.S.C. 1124)

#### § 133.13 Documents and fee to accompany application.

(a) Documents. The application shall be accompanied by a statement of the owner, partners or principal corporate officer, and by statements by at least two other persons not associated with or related to the applicant but having actual knowledge of the facts, stating that to his best knowledge and belief:

(1) The applicant has used the trade name in connection with the class or kind of merchandise described in the application for at least 6 months:

(2) The trade name is not identical or confusingly similar to any other trade name or registered trademark used in connection with such class or kind of merchandise; and

(3) The applicant has the sole and exclusive right to the use of such trade name in connection with the merchandise of that class or kind.

(b) Fee. The application shall be accompanied by a fee of \$100 for each trade name to be recorded. The check or money order shall be made payable to the Bureau of Customs.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

# § 133.14 Publication of trade name recordation.

(a) Notice of tentative recordation. Notice of tentative recordation of a trade name shall be published in the Federal Register and the Customs Bulletin. The notice shall specify a procedure and a time period within which interested parties may oppose the recordation.

(b) Notice of final action. After consideration of any claims, rebuttals, and other relevant evidence, notice of final approval or disapproval of the application shall be published in the Federal Register and the Customs Bulletin.

# § 133.15 Term of Customs trade name recordation.

Protection for a recorded trade name shall remain in force as long as the trade name is used. The recordation shall be canceled upon request of the recordant or upon evidence of disuse. From time to time, the Commissioner of Customs may request the trade name owner to advise whether the name is still in use. The failure of a trade name owner to respond to such a request shall be regarded as evidence of disuse.

(Sec. 42, 60 Stat. 440; 15 U.S.C. 1124)

# SUBPART C—IMPORTATIONS BEARING RECORDED TRADEMARKS OR TRADE NAMES

# § 133.21 Restrictions on importation of articles bearing recorded trademarks and trade names.

(a) Copying or simulating marks or names. Articles of foreign or domestic manufacture bearing a mark or name copying or simulating a recorded trademark or trade name shall be denied entry and are subject to forfeiture as prohibited importations. A "copying or simulating" mark or name is an actual counterfeit of the recorded mark or name or is one which so resembles it as to be likely to cause the public to associate the copying or simulating mark with the recorded mark or name.

(b) Identical trademark. Foreign-made articles bearing a trademark identical with one owned and recorded by a citizen of the United States or a corporation or association created or organized within the United States are subject to seizure and forfeiture as prohibited importations.

(c) Restrictions not applicable. The restrictions set forth in paragraphs (a) and (b) do not apply to imported articles when:

(1) Both the foreign and the United States trademark or trade name are owned by the same person or business entity;

(2) The foreign and domestic trademark or trade name owners are parent and subsidiary companies or are otherwise subject to common ownership or control (see sections 133.2(d) and 133.12(d));

(3) The articles of foreign manufacture bear a recorded trademark or trade name applied under authorization of the United States owner:

(4) The objectionable mark is removed or obliterated prior to importation in such a manner as to be illegible and incapable of being reconstituted, for example by:

(i) Grinding off imprinted trademarks wherever they appear;

(ii) Removing and disposing of plates bearing a trademark or trade name;

(5) The merchandise is imported by the recordant of the trademark or trade name or his designate; or

(6) The recordant gives written consent to an importation of articles otherwise subject to the restrictions set forth in paragraphs (a) and (b), and such consent is furnished to appropriate Customs officials.

(Sec. 42, 60 Stat. 440, sec. 526, 46 Stat. 741; 15 U.S.C. 1124, 19 U.S.C. 1526)

#### § 133.22 Detention of articles subject to restrictions.

(a) In general. Articles subject to the restrictions of section 133.21 shall be detained for 30 days from the date of notice to the importer that such restrictions apply to permit the importer to establish that any of the circumstances described in section 133.21(c) are applicable.

(b) Notice of detention. Notice of detention of articles found subject to the restrictions of section 133.21 shall be given the importer in writing, except that for articles accompanying the importer or arriving by mail, notice of detention shall be given in the following manner:

(1) Articles accompanying importer. When the articles are carried as accompanying baggage or on the person of persons arriving in the United States, the Customs inspector shall orally advise the importer that the articles are subject to detention.

(2) Mail importations. When the articles arrive by mail in noncommercial shipments, or in commercial shipments valued at \$250 or less, notice of the detention shall be given on Customs Form 8.

(c) Failure to obtain release in 30 days. If the importer has not obtained release of detained articles within the 30-day period of detention, the merchandise shall be seized and forfeiture proceedings instituted. The importer shall be promptly notified of the seizure and liability to forfeiture and his right to petition for relief in accordance with the provisions of Part 171 of this chapter.

# § 133.23 Release of detained articles.

(a) General. Articles detained in accordance with section 133.22 may be released to the importer during the 30-day period of detention if any of the circumstances allowing exemption from trademark or trade name restriction set forth in section 133.21(c) are established.

(b) Articles accompanying importer. Articles arriving as accompanying baggage or on the person of the importer may be exported or destroyed under Customs supervision at the request of the importer, or may be released if:

(1) The importer removes or obliterates the marks in a manner

acceptable to the Customs officer at the time of examination of the articles; or

(2) The request of the importer to obtain skillful removal of the marks is granted by the district director on such conditions as he may deem necessary, and upon return of the article to Customs for verification, the marks are found to be satisfactorily removed.

(c) Mail importations. Articles arriving by mail in non-commercial shipments, or in commercial shipments valued at \$250 or less may be exported or destroyed at the request of the addressee or may be

released if:

(1) The addressee appears in person at the appropriate Customs office and at that time removes or obliterates the marks in a manner

acceptable to the Customs officer; or

(2) The request of the addressee appearing in person to obtain skillful removal of the marks is granted by the district director on such conditions as he may deem necessary, and upon return of the article to Customs for verification, the marks are found to be satisfactorily removed.

#### § 133.24 Demand for redelivery of released merchandise.

If it is determined that merchandise which has been released from Customs custody is subject to the restrictions of section 133.21, the district director shall promptly make demand for the redelivery of the merchandise under the terms of the entry bond in accordance with section 8.26 of this chapter. If the merchandise is not redelivered to Customs custody, a claim for liquidated damages shall be made in accordance with section 25.17 of this chapter.

#### SUBPART D-RECORDATION OF COPYRIGHTS

# § 133.31 Recordation of copyrighted works.

(a) Eligible works. Claims to copyright which have been registered in accordance with the provisions of the Copyright Act of July 30, 1947, as amended (17 U.S.C. 1-32), or unregistered claims to copyright in works entitled to protection under section 9(c) of that Act, as amended (17 U.S.C. 9(c)), by virtue of the Universal Copyright Convention, may be recorded with the Bureau of Customs if the copyright is subsisting.

(b) Persons eligible to record. The copyright proprietor, or any person claiming actual or potential injury by reason of actual or contemplated importations of copies of eligible works, may file an

application to record a copyright.

(c) Countries party to the Universal Copyright Convention. The following countries are party to the Universal Copyright Convention:

Laos

Andorra Argentina Australia Austria Belgium Brazil Cambodia. Canada Chile Costa Rica Cuba Czechoslovakia Denmark Ecuador Finland France Germany, Federal Republic of Ghana Greece Guatemala Haiti Holy See Iceland India Ireland Israel

Italy Japan

Kenya

Lebanon Liberia Lichtenstein Luxembourg Malawi Malta Mexico Monaco Netherlands New Zealand Nicaragua Nigeria Norway Pakistan Panama Paraguay Peru Philippines Portugal Spain Sweden Switzerland Tunisia United Kingdom United States of America Venezuela

Yugoslavia Zambia

(d) Notice of recordation and other action. Applicants and recordants will be notified of the approval or denial of an application filed in accordance with sections 133.32, 133.35, 133.36, or 133.37 of this subpart.

# § 133.32 Application to record copyright.

An application to record a copyright to secure Customs protection against the importation of piratical copies shall be in writing addressed to the Commissioner of Customs, Washington, D.C. 20226, and shall include the following information:

(a) The name and complete address of the copyright owner or owners;

(b) If the applicant is a person claiming actual or potential injury by reason of actual or contemplated importations of copies of eligible works, a statement setting forth the circumstances of such actual or potential injury;

(c) The name and principal address of any foreign person or business entity authorized or licensed to use the copyright, and a statement as to the use authorized;

(d) The foreign title of the work, if different from the United

States title; and

(e) In the case of protection claimed under section 9(c) of the Copyright Act, by virtue of the Universal Copyright Convention, a statement setting forth the name of the author and his citizenship and domicile at the time of first publication, the date and country of first publication, and a description of the work, including its title, and a statement that all copies bore the Universal Copyright Convention notice from the date of first publication.

#### § 133.33 Documents and fee to accompany application.

(a) Documents. The application for recordation shall be accompanied by the following documents:

(1) An "additional certificate" of copyright registration issued by the United States Copyright Office, except for unregistered Universal Copyright Convention works as described in section 133.32(e) of this subpart. If the name of the applicant differs from the name of the copyright owner identified in the certificate, or from the name appearing in the Universal Copyright Convention notice referred to in section 133.32(e), the application shall also be accompanied by a certified copy of any assignment, exclusive license, or other document recorded in the Copyright Office showing that the applicant has acquired an ownership interest in the copyright.

(2) Seven hundred 8" x 10½" photographic or other likenesses reproduced on paper of any three-dimensional work, design, print, label, or other work not readily identifiable by title and author. An application shall be excepted from this requirement if it covers a work such as a book, magazine, periodical, or similar copyrighted matter readily identifiable by title and author. Seven hundred likenesses of a component part of a copyrighted work, together with the name or title, if any, by which the part so depicted is identifiable, may accompany

an application covering an entire copyrighted work.

(b) Fee. Each application shall be accompanied by a fee of \$100 for each copyright to be recorded. The check or money order shall be made payable to the Bureau of Customs.

(Sec. 501, 65 Stat. 290; 31 U.S.C. 483a)

# § 133.34 Effective date, term, and cancellation of recordation.

(a) Effective date. Recordation of copyright and protection thereunder shall be effective on the date an application for recordation is

approved, as shown on the recordation notice issued by the Bureau of Customs instructing Customs officers as to the terms and conditions of

import protection appropriate.

(b) Term. The recordation of a copyright shall remain in force until the ownership interest of the recordant in the copyright expires. Unless such ownership interest expires sooner, the recordation shall remain in force until the end of the initial 28-year term of copyright, or, if the recordation is renewed in accordance with section 133.37, until the end of the renewal term of the copyright.

(c) Cancellation. Recordation of a copyright with the Bureau of Customs shall be canceled upon request of the recordant, or if the registration in the United States Copyright Office is finally canceled or

revoked.

#### § 133.35 Change of ownership of recorded copyright.

(a) Application. If the ownership of a recorded copyright is transferred and the owner wishes to continue the recordation with the Bureau of Customs, he shall make written application to the Commissioner of Customs as follows:

(1) Comply, as appropriate, with section 133.32; and

(2) Describe any time limit on the rights of ownership transferred.

(b) Document and fee. The application shall be accompanied by:

(1) A certified copy of any assignment, exclusive license, or other document recorded in the United States Copyright Office showing the applicant has acquired an ownership interest in the copyright; and

(2) A fee of \$40. The check or money order shall be payable to the

Bureau of Customs.

(Sec. 501, 65 Stat. 290; 31 U.S.C. 483a)

# § 133.36 Change in name of owner of recorded copyright.

If there is a change in the name of the owner of a recorded copyright, but no transfer of ownership, written notice specifying the change shall be given to the Commissioner of Customs accompanied by the following:

(a) A certified copy of any document recorded in the United States Copyright Office showing the change in the name of the owner; and

(b) Payment of a fee of \$40. The check or money order shall be payable to the Bureau of Customs.

(Sec. 501, Stat. 290; 31 U.S.C. 483a)

# § 133.37 Renewal of copyright recordation.

(a) Application for renewal. To continue uninterrupted Customs protection for a recorded copyright, the copyright owner shall make

written application to the Commissioner of Customs to renew Customs recordation not later than 3 months from the date of expiration of the term of the copyright. An application to renew a Customs recordation shall include the following:

(1) An "additional certificate" of the renewal registration issued by the United States Copyright Office showing that a claim to renewal copyright in the name of the applicant or his predecessor in interest

has been registered;

(2) A statement describing any change of ownership or name of owner, in compliance with sections 133.35 and 133.36 and any change of address of the owner; and

(3) Payment of a fee of \$40. The check or money order shall be

payable to the Bureau of Customs.

(b) Delayed application. Upon request made during the grace period of 3 months afforded by paragraph (a), a copyright owner whose application for renewal of recordation is unavoidably delayed may be afforded a reasonable extended period within which to comply with the requirements of paragraph (a). The request shall be in writing, addressed to the Commissioner of Customs, and shall set forth the

circumstances due to which application is delayed.

(c) Untimely application. Failure of the copyright owner to submit a renewal application within the 3-month grace period afforded in accordance with paragraph (a) of this section, or within an extension of time granted in accordance with paragraph (b), shall deprive the copyright owner of the renewal process. A delinquent applicant will be required to apply anew to record the renewed copyright in accordance with the procedures and requirements of sections 133.32 and 133.33.

SUBPART E-IMPORTATION VIOLATING COPYRIGHT LAWS

# § 133.41 False notice of copyright.

(a) Importation prohibited. The importation of articles bearing a false notice of copyright is prohibited. Books, periodicals, newspapers, music, moving picture films, and other articles which bear words indicating they are entitled to copyright protection in the United States, when in fact they are not so entitled, bear a false notice of copyright.

(b) Seizure and forfeiture. All articles bearing a false notice of copyright shall be seized and forfeited, except when imported in the mails. Such articles imported in the mails shall be returned to the

postmaster for return to the sender as nondeliverable.

(Secs. 106, 108, 61 Stat. 663, 664; 17 U.S.C. 106, 108)

#### § 133.42 Piratical copies.

(a) Definition. Piratical copies are actual copies or substantial copies of a recorded copyrighted work, produced and imported in contravention of the rights of the copyright owner.

(b) Importation prohibited. The importation of piratical copies of

works copyrighted in the United States is prohibited.

(c) Seizure and forfeiture. The district director shall seize and forfeit an imported article which he determines constitutes a piratical copy of a recorded copyrighted work. The district director shall also seize and forfeit an imported article if the importer does not deny a representation that the article is a piratical copy as provided in section 133.43(a).

(Secs, 106, 108, 61 Stat. 663, 664; 17 U.S.C. 106, 108)

#### § 133.43 Procedure on suspicion of piratical copying.

(a) Notice to the importer. If the district director has any reason to believe that an imported article may be a piratical copy of a recorded copyrighted work, he shall withhold delivery, notify the importer of his action, and advise him that if the facts so warrant he may file a statement denying that the article is in fact a piratical copy and alleging that the detention of the article will result in a material depreciation of its value, or a loss or damage to him. The district director shall also advise the importer that in the absence of receipt within 30 days of a denial by the importer that the article constitutes a piratical copy, it shall be considered to be such a copy and shall be subject to seizure and forfeiture.

(b) Notice to copyright owner. If the importer of suspected piratical copies files a denial as provided in paragraph (a), the district director shall furnish the copyright owner a representative sample of the imported articles, together with notice that the imported articles will be released to the importer unless within 30 days from the date of the

notice the copyright owner files with the district director:

(1) A written demand for the exclusion from entry of the de-

tained imported articles; and

(2) A bond in the form and amount specified by the district director, conditioned to hold the importer or owner of such imported articles harmless from any loss or damage resulting from Customs detention in the event the Commissioner of Customs or his designee determines that the article is not a piratical copy prohibited importation under section 106 of the Copyright Act (17 U.S.C. 106).

(c) Result of action or inaction by copyright owner. After notice to the copyright owner that delivery is being withheld for imported articles suspected to be piratical copies of his recorded copyrighted

work, the district director shall proceed in accordance with the appli-

cable procedure set forth below:

(1) Demand and bond filed. If the copyright owner files a written demand for exclusion of the suspected piratical copies together with a proper bond, the district director shall promptly notify the importer and the copyright owner that, during a specified time limited to not more than 30 days, they may submit further evidence, legal briefs, or other pertinent material to substantiate the claim or denial of piratical copying. The burden of proof shall be upon the party claiming that any article is in fact a piratical copy. At the close of the period specified for submission of evidence, the district director shall forward the entire file in the case, together with a representative sample of the imported articles and his views or comments, to the Commissioner of Customs or his designee for decision of the disputed claim of piratical copying.

(2) Piracy disclaimed or unsupported. If the copyright owner disclaims that the specific imported article is a piratical copy of his recorded copyrighted work, or concedes that he possesses insufficient evidence or proofs to substantiate a claim of piracy, the district director shall release the detained shipment to the importer, and shall release all further importations of the same article, by whomever

imported, without further notice to the copyright owner.

(3) Failure to file demand or bond. If the copyright owner fails to file a written demand for exclusion and bond as required by paragraph (b), the district director shall release the detained articles to the importer, and notify the copyright owner of the release. The district director shall withhold delivery of all further importations of the same article by the same importer, and shall notify the copyright owner of each such subsequent shipment as provided in paragraph (b).

(4) Withdrawal of bond. At any time prior to transmittal of the case to the Commissioner of Customs or his designee for decision, the copyright owner may withdraw a bond filed in accordance with paragraph (b). Prior to returning the bond to the copyright owner and release of the detained articles, the district director shall require the copyright owner and the importer to file written statements agreeing to hold the Bureau of Customs and the district director harmless for any consequence of return of the bond and release of the detained articles. After withdrawal of a bond, the district director shall release importations of the same article by the same importer without further notice to the copyright owner.

# § 133.44 Decision of disputed claim of piratical copying.

(a) Claim of piracy sustained. Upon determination by the Commissioner of Customs or his designee that the detained article for-

warded in accordance with section 133.43(o)(1) is a piratical copy, the district director shall seize and forfeit the imported articles in accordance with Part 23 of this chapter, and shall return the bond to the copyright owner.

(b) Denial of piracy sustained. Upon determination by the Commissioner of Customs or his designee that the detained article forwarded in accordance with section 133.43(c)(1) is not a piratical copy, the district director shall release all such detained merchandise and transmit the copyright owner's bond to the importer.

(Secs. 106, 108, 61 Stat. 663, 664; 17 U.S.C. 106, 108)

# § 133.45 United States manufacturing requirements for books and periodicals.

(a) Importation prohibited. Books and periodicals manufactured abroad contrary to the terms of the "American manufacturing clause" of the Copyright Act (17 U.S.C. 16) which requires manufacture in the United States may not be imported during the existence of the United States copyright unless:

(1) The importation is permitted under one of the limited excep-

tions in 17 U.S.C. 107:

(2) The importation is entitled to United States copyright protection under the provisions of 17 U.S.C. 9(c) by virtue of the Universal Copyright Convention (see paragraph (c) of this section); or

(3) The importation is permitted by an ad interim copyright (see

paragraph (b) of this section).

- (b) Release under ad interim copyright. Upon compliance with the usual Customs requirements, the district director may release up to 1,500 copies of a book or periodical covered by an ad interim copyright when imported pursuant to the quantitative exception in 17 U.S.C. 16 if:
- (1) There is presented with the entry an "Import Statement" issued by the Register of Copyrights authorizing the importation of a number of copies not in excess of 1,500 copies; and

(2) The copies are otherwise admissible.

(c) Release under Universal Copyright Convention.

- (1) Determination of eligibility. The district director shall release books under the Universal Copyright Convention without an "Import Statement" and in unlimited quantities upon a determination that either:
- (i) The book was first published in a Convention country other than the United States, and the author was not a citizen or domiciliary of the United States at the time of first publication; or

(ii) The book was first published abroad, and at the time of

first publication, the author was a citizen of a Convention country other than the United States and was not domiciled in the United States.

(2) Information required. Prior to releasing the books, the district director shall require the importer to supply the following information in writing:

(i) The country in which the book was first published;

(ii) The country of which the author was a citizen at the time of first publication; and

(iii) Whether the author was domiciled in the United States at the time of first publication.

(Secs. 9, 16, 107, 61 Stat. 655, as amended, 657, as amended, 663; 17 U.S.C. 9, 16, 107)

#### § 133.46 Demand for redelivery of released articles.

If it is determined that articles which have been released from Customs custody are subject to the prohibitions or restrictions of this subpart, the district director at the port of entry shall promptly make demand for redelivery of the articles under the terms of the entry bond in accordance with section 8.26 of this chapter. If the articles are not redelivered to Customs custody, a claim for liquidated damages shall be made in accordance with section 25.17 of this chapter.

SUBPART F—PROCEDURE FOLLOWING FORFEITURE OR ASSESSMENT OF LIQUIDATED DAMAGES

# § 133.51 Relief from forfeiture or liquidated damages.

(a) Petition for relief. The importer may petition in accordance with Parts 171 and 172 of this chapter for relief from, or cancellation of, a forfeiture incurred for violation of the trademark or copyright laws, or a claim for liquidated damages for failure to redeliver released merchandise incurred under the provisions of section 133.24 or 133.46.

(b) Conditioned relief. In appropriate cases, relief from a forfeiture may be granted pursuant to a petition for relief upon the following conditions and such other conditions as may be specified by the appropriate Customs authority:

(1) The unlawfully imported or prohibited articles are exported or destroyed under Customs supervision and at no expense to the Government;

(2) All offending trademarks or trade names are removed or obliterated prior to release of the articles;

(3) In the case of books or periodicals manufactured abroad contrary to the terms of the "American manufacturing clause" of the Copyright Act (17 U.S.C. 16):

(i) Satisfactory evidence is submitted that a statement of

abandonment has been filed and recorded in the Copyright Office by the copyright owner in accordance with the procedures of the Copyright Office; and

(ii) The notice of copyright is completely obliterated prior

to release of the books or periodicals.

#### § 133.52 Disposition of forfeited merchandise.

(a) Trademark or trade name violation. Articles forfeited for violation of the trademark laws shall be disposed of in accordance with the procedures applicable to forfeitures for violation of the Customs laws, after the removal or obliteration of the name, mark or trademark by reason of which the articles were seized.

(b) Copyright violations. Articles for which forfeiture for violation of the copyright laws has been perfected shall be destroyed.

(Sec. 42, 60 Stat. 440, sec. 108, 61 Stat. 664; 15 U.S.C. 1124, 17 U.S.C. 108)

#### § 133.53 Refund of duty.

If a violation of the trademark or copyright laws is not discovered until after entry and deposit of estimated duty, the entry shall be endorsed with an appropriate notation and the duty refunded as an erroneous collection upon exportation or destruction of the prohibited articles in accordance with section 8.49 or 15.5 of this chapter.

(Sec. 558(a), 46 Stat. 744, as amended; 19 U.S.C. 1558(a))

#### Annex to Revised Part 133

# Parallel Reference Table

(This table shows the relation of sections in revised Part 133 to superseded 19 CFR Part 11)

Revised Section	Superseded	Section
133.0	None	
133.1(a)	11.15(a)	
133.1(b)	None	
133.2	11.15(a)	
133.3	11.15(a)	
133.4	None	
133.5	None	
133.6	None	
133.7	11.15(c)	
133.11	None	
133.12	11.16	
133.13	11.16	
133.14	None	

Revised Section	Superseded Section
133.15	None
133.21	
133.22(a)	
133.22(b)	11.17(b)
133.22(c)	11.17(b)
133.23(a)	
133.23(b)	None
133.23(c)	11.17
133.24	None
133.31(a)	11.19(a)
133.31(b)	
133.31(c)	
133.31(d)	
133.32	
133.33	
133.34	
133.35	
133.36	None
133.37	None
133.41	
133.42(a)&(b)	11.20(a)
133.42(c)	-11.20(b)
133.43(a)&(b)	11.20(c)
133.43 (c) (1)	-11.20(d)
133.43(c) (2-4)	None
133.44	11.20(e)
133.45(a)	11.21(a)
133.45(b)	
133.45(e)	
133.46	None
133.51	None
133.52(a)	11.17(c)
133.52(b)	
133.53	
	()

# (T.D. 72-267)

# Classification of certain "Monterey" Cheese

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

Recent shipments of "Monterey" cheese from Denmark vary sufficiently in characteristics from each other so as to possibly require

different treatment for tariff classification purposes. The status of this cheese for quota purposes is dependent upon its classification. Further, it is the Bureau's understanding that the process used to produce this cheese has not been changed for the past 2 years.

The cheese has been entering the United States under the provision for other cheese in item 117.75 or 117.85, Tariff Schedules of the United States, depending on value and has been subject to quota under item 950.10D in the Appendix to the Tariff Schedules.

Notice is hereby given that each shipment of "Monterey" cheese from Denmark (or any other country) entered, or withdrawn from warehouse, for consumption on or after the 31st day following the date of publication of this notice in the weekly Customs Bulletin will be treated according to its actual identity for classification and quota purposes as Monterey (in items 117.75 or 117.85 and 950.10D), cheddar (in items 117.15 or 117.20 and 950.08A), Colby (in items 117.81 or 117.75 and 950.08B), or American-type cheese (in items 117.75 or 117.85 and 950.08B). Danish "Monterey" cheese entered, or withdrawn from warehouse, for consumption before the effective date of this notice will continue to be classified as other cheese in either item 117.75 or 117.85 of the tariff schedules and subject to the quota provisions in item 950.10D of the Appendix to the Tariff Schedules.

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved September 25, 1972: EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register September 30, 1972 (37 F.R. 20580)]

(T.D. 72-268)

Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles in category 22, manufactured or produced in the Arab Republic of Egypt

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972.

There is published below the directive of September 6, 1972, received by the Commissioner of Customs from the Chairman, Committee for

the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles in Category 22, manufactured or produced in the Arab Republic of Egypt.

This directive was published in the Federal Register on September 9,

1972 (37 F.R. 18410), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 6, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On September 28, 1971, the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles in certain specified categories produced or manufactured in the Arab Republic of Egypt (formerly the United Arab Republic) during the twelve-month period beginning October 1, 1971 in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 6 of the bilateral cotton textile agreement of October 5, 1970, between the Governments of the United States and the Arab Republic of Egypt, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the level of restraint established in the aforesaid directive of September 28, 1971 for cotton textiles in Category 22, produced or manufactured in the Arab Republic of Egypt, as set forth below:

Category

22

Amended Twelve-Month Level of Restraint 3,850,000 square yards

<sup>&</sup>lt;sup>1</sup>The term "adjustment" refers to those provisions of the bilateral cotton textile agreement of October 5, 1970 between the Governments of the United States and the Arab Republic of Egypt which provide in part for limited carryover of shortfalls to the next agreement year; and for administrative arrangements.

The actions taken with respect to the Government of the Arab Republic of Egypt and with respect to imports of cotton textiles and cotton textile products from the Arab Republic of Egypt have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours.

Stanley Nehmer,

Chairman, Committee for the Implementation

of Textile Agreements, and

Deputy Assistant Secretary

for Resources

(T.D. 72-269)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products, in category 63, manufactured or produced in British Honduras

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972

There is published below the directive of September 14, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 63, manufactured or produced in British Honduras.

This directive was published in the Federal Register on September 19, 1972 (37 F.R. 19160), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 14, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning June 29, 1972 and extending through June 28, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 63, produced or manufactured in British Honduras, in excess of a level of restraint for the period of 601,660 pounds.<sup>1</sup>

Entries of cotton textile products in Category 63, produced or manufactured in British Honduras and which have been exported to the United States from British Honduras prior to June 29, 1972, shall not be subject to this directive.

Cotton textile products in Category 63 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 63, in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of British Honduras and with respect to imports of cotton textile products from British Honduras have been determined by the Committee for the Implementation of Textile Agreements, to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making

<sup>&</sup>lt;sup>1</sup> This level has not been adjusted to reflect any entries made on or after June 29, 1972.

provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-270)

Wool and manmade fiber textiles-Restriction on entry

Restriction on entry of wool and manmade fiber textile products manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972.

There is published below the directive of August 23, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of wool and manmade fiber textile products in certain categories manufactured or produced in the Republic of Taiwan.

This directive was published in the Federal Register on September 9, 1972 (37 F.R. 18410), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 23, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On March 6, 1972, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry of wool and man-made fiber textile products in certain specified categories produced or manufactured in the Republic of China during the twelvementh period beginning October 1, 1971 in excess of designated levels of restraint. The Chairman further advised you that the levels of

restraint were subject to adjustment.1

Pursuant to paragraph 7 of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of March 6, 1972 for wool textile products in Categories 116 and 117 and man-made fiber textile products in Categories 211, 213, 216, 219, 221, 222, 228, 232, 234, and 235, produced or manufactured in the Republic of China, as set forth below.

		Amended Twelve-Month Levels	
Categor	of Restraint 2		
116		861, 538 lb.	
117		538, 462 lb.	
211	M. A. Charles	673, 077 lb.	
213		6, 730, 769 lb.	
216		579, 470 doz.	
219		4,460,784 doz.	
221		3, 138, 587 doz.	
222		2, 949, 438 doz.	
228		361, 321 doz.	
232	200311101	505, 196 doz.	
234		946, 372 doz.	
235	35 11 2 2	1, 373, 671 doz.	

The actions taken with respect to the Government of the Republic of China and with respect to imports of wool and man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs ex-

<sup>2</sup> These amended levels have not been adjusted to reflect entries made on or after October 1, 1971.

<sup>&</sup>lt;sup>1</sup> The term "adjustment" refers to those provisions of the bilateral wool and man-made fiber textile agreement of December 30, 1971, between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; for limited inter-fiber flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

ception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-271)

Manmade fiber textiles—Restriction on entry

Restriction on entry of manmade fiber textile products in category 211, manufactured or produced in Hong Kong

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972.

There is published below the directive of September 11, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of manmade fiber textile products in category 211, manufactured or produced in Hong Kong.

This directive was published in the Federal Register on September 14, 1972 (37 F.R. 18648), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 11, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On May 2, 1972, you were directed to prohibit, effective May 5, 1972, at midnight Eastern Daylight Savings Time and until further notice,

entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 211, produced or manufactured in Hong Kong and which have been exported to the United States during the period beginning October 1, 1971, and extending through September 30, 1972. This directive was subsequently amended by a letter of June 5, 1972 which limited the product coverage established in the directive of May 2, 1972 for Category 211.

Under the provisions of the bilateral Wool and Man-made Fiber Textile Agreement of January 6, 1972, between the Governments of the United States and Hong Kong, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the aforesaid directive of May 2, 1972, as amended, is hereby canceled effective as

soon as possible.

The actions taken with respect to the Government of Hong Kong and with respect to imports of man-made fiber textile products from Hong Kong have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-272)

Manmade fiber textiles—Restrictions on entry

Restrictions on entry of manmade fiber textile products in category 229, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972.

There is published below the directive of August 31, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restrictions on entry into the United States of manmade fiber textile products in category 229, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on September 6, 1972 (37 F.R. 18053), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

August 31, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 229, produced or manufactured in the Republic of China, in excess of 50,530 dozen.

Entries of man-made fiber textile products in the above category produced or manufactured in the Republic of China and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

<sup>&</sup>lt;sup>1</sup>The adjusted level of restraint reflects entries made through August 5, 1972. The level has not been adjusted to reflect any entries made after August 5, 1972.

The actions taken with respect to the Government of the Republic of China and with respect to imports of man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

#### STANLEY NEHMER,

 $Chairman,\ Committee\ for\ the\ Implementation of\ Textile\ Agreements, and \ Deputy\ Assistant\ Secretary for\ Resources$ 

(T.D. 72-273)

Foreign currencies—Daily rates for countries not on quarterly list
Rates of exchange certified to the Secretary of the Treasury by the Federal
Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran
rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 26, 1972.

The Federal Reserve Bank of New York pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

#### Denmark krone:

September 18, 1972	\$0.145125
September 19, 1972	. 14505
September 20, 1972	. 14475
September 21, 1972	
September 22, 1972	. 1447

Hong Kong dollar:	Official	V. 9	Free
August 21, 1972	\$0.1750	Not	available
August 22, 1972	.1750	66	"
August 23, 1972	1755	66	"
August 24, 1972	.1755	66	"
August 25, 1972	1755	- 66	66

#### Iran rial:

September 11, 1972	\$0.0131
September 12, 1972	. 0131
September 13, 1972	. 0131
September 14, 1972	.0128
September 15, 1972	. 0129

#### Philippine peso:

For the period September 11 through Septemer 15, 1972, rate of \$0.1465.

#### Thailand baht (tical):

For the period September 11 through September 15, 1972, rate of \$0.0478.

(342.11)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

#### (T.D. 72-274)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 19, 1972.

The following are synopses of drawback rates and amendments issued February 7, 1972, to July 18, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Aircraft seat covers and lounge table covers.—Manufactured under section 1313 (a) by Burns Aero Seat Co., Inc., Burbank, Calif., with the use of imported upholstery or fabric.

Rate effective on articles manufactured on and after April 15, 1971, and exported on and after May 14, 1971.

Rate issued by Regional Commissioner of Customs, San Francisco, Calif., June 13, 1972.

(B) Aluminum and aluminum alloy extrusions, shapes, sheet and building construction products.—T.D. 51991-A, as amended, and as particularly amended by T.D. 52440-H, covering, among other things,

the foregoing articles manufactured under section 1313 (b) by Kaiser Aluminum and Chemical Corp., Oakland, Calif., with the use of aluminum and aluminum alloy pig, ingot and billets at its various factories, further amended to cover all of the foregoing articles manufactured with the use of all of the foregoing merchandise at its additional factories located at Dolton, Ill.; Sherman, Tex.; Los Angeles, Calif., and Toledo, Ohio.

Amendment effective on articles manufactured on and after Jan-

uary 1, 1971, and exported on and after January 15, 1971.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., July 18, 1972.

(C) Audio-Visual equipment, tape duplicating equipment, planetariums.—Manufactured under section 1313(a) by Viewlex, Inc., Holbrook, N.Y., with the use of imported lenses, planetarium heads, electronic components, and tape decks.

Rate effective on articles manufactured on and after October 20,

1971, and exported on and after November 1, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., July 12, 1972.

(D) Bags, polyethylene.—T.D. 45564—H, as extended and amended, covering a variety of burlap and paper products manufactured under section 1313(a) by Chase Bag Co., Greenwich, Conn., at its several factories, with the use of imported burlap and imported or drawback sulphate kraft paper, further amended to cover polyethylene bags manufactured at the company's New Orleans, La., factory, with the use of imported polyethylene sheets.

Amendment effective on articles manufactured on and after Febru-

ary 15, 1972, and exported on and after March 1, 1972.

Amendment issued by Regional Commissioner of Customs, New Orleans, La., February 7, 1972.

(E) Casters and wheels for material handling systems.—T.D. 55522-J, as amended by T.D. 55844-D, covering, among other things, casters and wheels for material handling systems manufactured under section 1313(b) by Rapid-Standard Co., Inc., Grand Rapids, Mich., with the use of steel sheets, plates and bars, amended to cover change in name of the company to Rapistan, Inc.

Amendment effective on articles exported on and after November 30,

1966, the date of change of name.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., June 15, 1972.

(F) Coin meters and coin meter kits.—Coin meters manufactured under section 1313(a) by Greenwald Industries, Inc., Brooklyn, N.Y.,

with the use of imported locks, keys, coin chutes, money boxes, mechanism doors and vending cams, and coin meter kits manufactured by the company under section 1313(a) with the use of imported money boxes and coin chutes.

Rate effective on articles manufactured and exported on and after June 3, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., June 6, 1972.

(G) Gaskets, automobile engine.—T.D. 66-193-J, covering automobile engine gaskets manufactured under section 1313(a) by Victor Manufacturing & Gasket Co., Chicago, Ill., with the use of imported cold rolled steel, amended to cover the foregoing products manufactured by Victor Gasket Div., Dana Corp., Chicago, Ill., successor.

Amendment effective on articles exported on and after September 1,

1967.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., June 15, 1972.

(H) Glove tranks.—T.D. 54511-C, covering glove tranks manufactured under section 1313(a) by Hansen Glove Corp., Milwaukee, Wis., at its factory located at Clintonville, Wis., with the use of imported knit cotton fabric, amended to cover change in name of the company to HGC, Inc.

Amendment effective on articles exported on and after December 23,

1969.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., June 22, 1972.

(I) Instruments used in the measurement and control of viscosity.— Manufactured under section 1313(a) by Brookfield Engineering Laboratories, Inc., Stoughton, Mass., with the use of imported fractional horsepower synchronous motors.

Rate effective on articles manufactured and exported on and after November 24, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., June 8, 1972.

(J) Insulin, globin, with zinc.—T.D. 51910-B, covering the foregoing product manufactured under section 1313(a) by Burroughs Wellcome & Co. (U.S.A.) Inc., New York, N.Y., with the use of imported zinc insulin crystals, amended to cover the said product manufactured by Burroughs Wellcome Co., Greenville, N.C., successor, at its factory located at Greenville, N.C.

Amendment effective on articles exported on and after Septem-

ber 1, 1970, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., July 12, 1972.

(K) Leather, pigment colored and surface textured.—Manufactured under section 1313(a) by Karg Brothers, Inc., Johnstown, N.Y., with the use of imported hides.

Rate effective on articles manufactured on and after September 1,

1971, and exported on and after October 12, 1971.

Rate issued by Regional Commissioner of Customs, New York, N.Y., July 6, 1972.

(L) Leather, pigment colored and surface textured.—Manufactured under section 1313(a) by Hagaman Manufacturing Corp., Gloversville, N.Y., at its factory located at Hagaman, N.Y., with the use of imported hides.

Rate effective on articles manufactured on and after July 1, 1971,

and exported on and after February 6, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., May 23, 1972.

(M) Nitriles, amines and related organic compounds, based on fatty acid nitriles.—T.D. 71-44-K, covering nitriles, amines and related organic compounds, based on fatty acid nitriles, manufactured under section 1313(b) by Armour Industrial Chemical Co., at its factory located at McCook, Ill., with the use of tallow nitrile and hydrogenated tallow nitrile, amended to cover the foregoing products manufactured by AIC Chemical Co., div. of Akzona, Inc., successor, and to change the name of the successor company to Armour Industrial Chemical Co., a div. of Akzona, Inc.

Amendment effective on articles exported on and after January 2, 1971.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., June 14, 1972.

(N) Orco Alizarine Green 5 GS.—T.D. 55580-Z, as amended, covering, among other things, Nerosol Black R. F. manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported coal tar derivatives, further amended to cover Orco Alizarine Green 5 GS manufactured under section 1313(a) with the use of imported Acid Alizarine Green G.

Amendment effective on articles manufactured and exported on and

after March 28, 1972.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., June 23, 1972.

(O) Piece goods, bleached, dyed, or bleached and dyed.—T.D. 71-105-M, covering the foregoing articles manufactured under section

1313(b) by Klopman Mills, Inc., Rockleigh, N.J., at its factories located at Altavista and Newbern, Va., and Society Hill, S.C., with the use of piece goods in the greige, amended to cover the above-mentioned articles manufactured at the said factories by Burlington Industries, Inc., New York, N.Y., successor.

Amendment effective on articles exported on and after April 3,

1971, the date of succession.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., June 15, 1972.

(P) Piece goods, flock printed.—Manufactured under section 1313(a) by Dandy Flocks, Inc., Hawthorne, N.J., with the use of imported and/or drawback dyed and finished piece goods.

Rate effective on articles manufactured and exported on and after

July 10, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., July 3, 1972.

(Q) Refrigeration units, container.—Manufactured under section 1313(a) by Carrier Corp., Syracuse, N.Y., with the use of imported diesel engines.

Rate effective on articles manufactured on and after July 23, 1971,

and exported on and after July 29, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., June 8, 1972.

(R) Sandwich wraps.—Manufactured under section 1313(a) by Trans World Services, Inc., Melrose, Mass., with the use of imported polymer coated heavyweight cellophane sheets.

Rate effective on articles manufactured and exported on and after

October 1, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., May 22, 1972.

(S) Snowmobiles and accessories for snowmobiles.—Manufactured under section 1313(a) by Chaparral Industries, Div. of Hitco, Denver, Colo., with the use of imported chassis parts.

Rate effective on articles manufactured on and after September 10,

1971, and exported on and after September 13, 1971.

Rate issued by Regional Commissioner of Customs, Houston, Tex., July 14, 1972.

(T) Tarps, fabricated plastic.—Manufactured under section 1313(a) by Poly Plastic and Design Corp., Springfield, Ohio, with the use of imported reinforced poly sheeting.

Rate effective on articles manufactured and exported on and after

July 1, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., July 7, 1972.

(U) Turbines, low pressure and high pressure; steam turbine parts.—T.D. 56384-T, as amended by T.D. 66-60-P, covering low pressure and high pressure turbines manufactured under section 1313 (a) by General Electric Co., Schenectady, N.Y., with the use of imported low pressure and high pressure steel rotor forgings, further amended to cover steam turbine parts manufactured by the said company with the use of imported rotor forgings.

Amendment effective on articles manufactured on and after

April 20, 1968, and exported on and after April 15, 1969.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., July 6, 1972.

. (V) Water heaters, electric.—Manufactured under section 1313(a) by Vaughn Manufacturing Co., Salisbury, Mass., with the use of imported hot rolled and cold rolled sheet steel.

Rate effective on articles manufactured on and after May 4, 1971,

and exported on and after May 5, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., May 2, 1972.

(W) Whisky, blended.—T.D. 68-23-Z, covering blended whisky manufactured under section 1313(a) by Barton Distilling Co., Bardstown, Ky., with the use of imported whisky, amended to cover change in name of the company to Barton Brands, Inc.

Amendment effective on articles exported on and after January 15,

1970, date of change in name.

Amendment issued by Regional Commissioner of Customs, Chicago, Ill., June 27, 1972.

## (T.D. 72–275)

#### Bonds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 28, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Carl F. Ewig, Inc., 44 Whitehall St., New York, N.Y.; St. Paul Fire & Marine Ins. Co, D 8/29/72	Sept. 18, 1963	Sept. 23, 1963	New York Seaport; \$10,000
International Shipping Agency Inc., P.R. Drydock, Pda 11, Muelle 15, San Juan, P.R.; Continental Casualty Co.	Aug. 24, 1972	Aug. 28, 1972	San Juan, P.R ; \$10,000
Montmorency Paper Co., Inc., 230 Park Ave., New York, N.Y.; Fidelity & Deposit Co. of Md. D 9/15/72	Oct. 8, 1983	Oct. 8, 1963	Mobile, Ala.; \$10,000
Overseas Marine Enterprises, Inc., P.O.B. 4351, San Juan, P.R.; American Fidelity Fire Ins. Co.	Aug. 18, 1972	Aug. 31, 1972	San Juan, P.R.; \$10,000
Pell & Co., 1221 N. Hawthorne Lane, Charlotte, N.C.; Insurance Co. of North America D 8/21/72	June 25, 1971	Aug. 3, 1971	Wilmington, N.C.; \$10,000
Roberts Steamship Agency, Inc. subsidiary Tilston- Roberts Oorp., 2300 ITM Building, 2 Canal St., New Orleans. La.; American Employers Ins. Co.	Aug. 28, 1972	Aug. 29, 1972	New Orleans, La.; \$10,000
Schering Corp., 1011 Morris Ave., Union, N.J.; St. Paul Fire & Marine Ins. Co. D 8/21/72	Aug. 23, 1963	Sept. 9,1963	New York Seaport; \$10,000
Southern Gold Citrus Products, Inc., 2601 Eunice Dr., Orlando, Fla.; St. Paul Fire & Marine Ins. Co.	Aug. 23, 1972	Aug. 28, 1972	Tampa, Fla.; \$10,000
Valley North Sales Corp., 20 Garden St., Danvers, Mass.; St. Paul Fire & Marine Ins. Co.	Aug. 22, 1972	Aug. 23, 1972	Boston, Mass.; \$10,000

(542.113)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-276)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 28, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Artim Transportation System, Inc. & The Glenn Cartage Co., subsidiary (Ohio Corp.), 7105 Ken- nedy Ave., Hammond, Indiana, motor carrier; Pro- tective Ins. Co.	Aug. 1,1972	Sept. 7,1972	Chicago, Ill.; \$30,000
Darling Freight, Inc., 319 Rumsey St., S.W., Grand Rapids, Mich., motor carrier; Hartford Accident & Indemnity Co. D 9/6/72	Oct. 3,1952	Oct. 31, 1952	Detroit, Mich.; \$10,000
Georgia-Florida-Alabama Transportation Co., Inc., P.O.B. 1327, Dothan, Ala., motor carrier; The Travelers Indemnity Co. D 8/19/72	May 12, 1969	July 2,1969	Mobile, Ala.; \$25,000
Great Lakes Express Co., Inc., 172 Davenport St., Saginaw, Mich., motor carrier; Continental Ins. Co. (PB 1/15/60) D 9/8/72 1	Aug. 24, 1972	Sept. 8, 1972	Detroit, Mich.; \$50,000
Green Mountain Carriers, Inc., P.O.B. 1319, Albany, N.Y., motor carrier; The Travelers Indemnity Co.	Sept. 6,1972	Sept. 6,1972	New York Seaport \$50,000
Hill Freight Lines, Inc., 2800 N. St. Vincent Ave., LaSalle, Ill., motor carrier; Fidelity & Deposit Co. of Md.	Feb. 6,1969	Feb. 13, 1969	Chicago, Ill.; \$25,000
D 9/6/72 Overland Western Ltd., P.O.B. 460, Woodstock, Ontario, Canada, motor carrier; The Continental Ins. Co.	July 14, 1972	Sept. 11, 1972	Detroit, Mich.; \$50,000
(PB 10/31/71) D 9/11/72 Ozark Air Lines, Inc., Lambert Field, St. Louis, Mo., air carrier; The Travelers Indemnity Co. (PB 4/18/66) D 9/15/72	Aug. 16, 1972	Sept. 15, 1972	St. Louis, Mo.; \$25,000
Paxton Trucking Co., 3770 E. 26th St., Vernon, Calif., motor earrier; Pacific Employers Ins. Co. (PB 10/11/71) D 8/31/72 <sup>3</sup>	Aug. 23, 1972	Aug. 31, 1972	Los Angeles, Calif.; \$50,000
Signal Trucking Service, Ltd., 3770 E. 26th St., Vernon, Calif., motor carrier; Pacific Employers Ins. Co.	Aug. 23, 1972	Aug. 31, 1972	Los Angeles, Calif.; \$50,000
(PB 7/22/71) D 8/81/72 4 Wallace Colville Motor Freight, Inc., N. 400 Sycamore, Spokane, Wash., motor carrier; Royal Indemnity Ce. (PB 5/6/68) D 9/11/72 4	Aug. 1,1972	Sept. 12, 1972	Seattle, Wash.; \$25,000
Yule Truck Lines, Inc., 950 W. 21st St., Chicago, Ill., motor carrier; Fidelity & Deposit Co. of Md. D 9/6/72	Feb. 6,1969	Feb. 13, 1969	Chicago, Ill.; \$25,000

<sup>&</sup>lt;sup>1</sup> Surety is Reliance Ins. Co.

(941 9)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is Transport Indemnity Co.

<sup>&</sup>lt;sup>3</sup> Surety is Transport Indemnity Co.

<sup>4</sup> Surety is St. Paul Fire & Marine Ins. Cos

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#### (T.D. 72-277)

### Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Denmark krone, Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

### DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., October 2, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Denmar	k .	kron	e:

September 25,	1972	\$0.14435
September 26,	1972	Not available
September 27,	1972	.1375*
September 28,	1972	.1395*
September 29,	1972	.1383

B	long Kong dollar: Official	Free
	August 28, 1972 \$0.1755	Not available
it.	August 29, 19721755	allo some fra for some
**;	August 30, 19721750	i kutylda asia yhni
	August 31, 19721750	S - A C C C
	September 1, 19721755	di arrona de la

#### Iran rial:

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 1141.	* CAN THE AT 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A	4.000007034200
September 18.	1972	\$0.0131
September 19.	1972	.0128
September 20.	1972	.0130
September 21.	1972	.0131
September 22.	1972	.0128

ilippine peso:		Feptember 1
September 18,	1972	\$0.1465
September 19,		.1465
September 20,	1972	.1465
September 21,	1972	.1465
September 22,		.1450

<sup>\*</sup>Certified as nominal rates.

Thailand baht (tical):	
September 18, 1972	\$0.0479
September 19, 1972	.0478
September 20, 1972	.0478
September 21, 1972	.0479
September 22, 1972	.0478

(342.211)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

(T.D. 72–278)

### Foreign currencies—Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupee

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., September 26, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72–194 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

### Ceylon rupee:

September 18, 1972	\$0.1565
September 19, 1972	. 1560
September 20, 1972	. 1560
September 21, 1972	. 1560
September 22, 1972	. 1540

Rates of exchange certified for the Ceylon rupee which vary by 5 per centum or more from the rate of \$0.1680 during the balance of the calendar quarter ending September 30, 1972, will be published in a

\*Certified on nominal retire.

Treasury Decision for dates subsequent to September 22, 1972, and before October 1, 1972.

(342.211)

R. N. Marra,

Acting Assistant Commissioner,

Office of Operations.

[Published in the Federal Register October 7, 1972 (37 F.R. 21359)]

(T.D. 72-279)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles, in certain categories, manufactured or produced in Nicaragua

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., October 3, 1972.

There is published below the directive of September 19, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles, in certain categories, manufactured or produced in Nicaragua.

This directive was published in the Federal Register on September 22, 1972 (37 F.R. 19842), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 19, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive cancels and supersedes the directive issued to you on January 28, 1972 by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textiles in Category 9, produced or manufactured in Nicaragua. This directive also cancels and supersedes the directive issued to you on April 28, 1972 by the Chairman, Committee for the Implementation of Textile Agreements, regarding imports into the United States of cotton textile products in Category 22, produced or manufactured in Nicaragua.

Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of September 5, 1972, between the Governments of the United States and Nicaragua, and in accordance with Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelvementh period beginning August 1, 1972 and extending through July 31, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 9/10, 15/16, 22/23, and 26/27 (other than duck), produced or manufactured in Nicaragua, in excess of the following twelve-month levels of restraint:

Category Twelve-		Twelve-Month Levels of Restraint
9/10	contract to the second of	1,000,000 square yards
15/16		1,000,000 square yards
22/23		1,000,000 square yards
26/27	(other than duck) <sup>2</sup>	2,000,000 square yards

Cotton textiles and cotton textile products in Categories 9/10, 15/16, 22/23, and 26/27 (other than duck) produced or manufactured in Nicaragua and which have been exported to the United States prior to August 1, 1972, shall not be subject to this directive.

Cotton textiles and cotton textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not

be denied entry under this directive.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 5, 1972 between the Governments of the United States and Nicaragua which provide, in part, that within the aggregate limit, the limitations on Categories 9/10, 15/16, 22/23, and 26/27 (other than duck) may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursu-

<sup>&</sup>lt;sup>1</sup>These levels have not been adjusted to reflect any entries made on or after August 1, 1972.

In Categories 26/27 all T.S.U.S.A. Nos. except :

<sup>320.—01</sup> through 04, 06, 08 326.—01 through 04, 06, 08 327.—01 through 04, 06, 08 328.—01 through 04, 06, 08 328.—01 through 04, 06, 08

ant to the provisions of the bilateral agreement referred to above will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles and cotton textile products from Nicaragua have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-280)

Manmade fiber textiles-Restriction on entry

Restriction on entry of manmade fiber textile products in category 224, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 3, 1972.

There is published below the directive of September 21, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of manmade fiber textile products in category 224, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on September 23, 1972 (37 F.R. 20051), by the Committee.

(343.3)

R. N. Marra, Acting Assistant Commissioner, Office of Operations.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 21, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972, vou are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Category 224, produced or manufactured in the Republic of China, in excess of an adjusted level of restraint of 332,942 pounds.1

Entries of man-made fiber textile products in the above category, produced or manufactured in the Republic of China, and which have been exported to the United States prior to October 1, 1971 shall not

be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register

on April 29, 1972 (37 F.R. 8802).

In carrying out this directive entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception

<sup>&</sup>lt;sup>1</sup> This level has been adjusted to reflect entries made through September 2, 1972. It has not been adjusted to reflect entries made after September 2, 1972.

to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-281)

Manmade fiber textiles—Restriction on entry

Restriction on entry of manmade fiber textile products, in certain categories, manufactured or produced in the Republic of Korea

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., October 3, 1972.

There are published below the directives of September 22, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of manmade fiber textile products in certain categories manufactured or produced in the Republic of Korea.

The directives were published in the Federal Register on September 22, 1972 (37 F.R. 19843), and September 22, 1972 (37 F.R. 19844), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 21, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 200–205 and 241–243, produced or manufactured in the Republic of Korea, in excess of the adjusted level of restraint of 10,805,609 square yards equivalent for the nine categories as a group.<sup>1</sup>

Within the overall adjusted level of restraint for Categories 200-205 and 241-243, the following adjusted levels of restraint will apply:

Catego	ry and a state of the state of	justed Level	s of Restraint 1
200		335,617	pounds
201	do es an established of Toro	96,339	pounds
202	Simulation Republic of Lorus	1,311,626	pounds
203	reconsultane recons	147,059	pounds
204	1.5 v 11 - 300 - 1 - 1 - 1 - 1 - 1	169,903	pounds
205	Altaria de La Colonia de Colonia	83,397	pounds
241		3,681,545	square feet
242	elal de la collection de l'Aure	101,026	pounds
243		142,812	pounds
243		142,812	pounds

Entries of man-made fiber textile products in the above categories produced or manufactured in the Republic of Korea and which have been exported to the United States prior to October 1, 1971 shall not be subject to this directive.

Man-made fiber textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the

<sup>&</sup>lt;sup>1</sup>The adjusted levels of restraint reflect entries made through September 2, 1972. The levels have not been adjusted to reflect any entries made after September 2, 1972.

Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely, ... I have the allowed and addition to the property

STANLEY NEHMER,

Chairman, Committee for the Implementation

of Textile Agreements, and

Deputy Assistant Secretary

for Resources

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 21, 1972.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends but does not cancel the directives issued to you on March 6, 1972 and August 11, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, regarding imports into the United States of man-made fiber textile products in certain specified categories, produced or manufactured in the Republic of Korea. This directive also cancels the directive issued to you on August 11, 1972, from the Chairman, Committee for the Implementation of Textile Agreements, regarding imports into the United States of man-made fiber textile products in Category 224, produced or manufactured in the Republic of Korea. This directive does not affect the directive issued to you on August 15, 1972.

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of man-made fiber textile products produced or manufactured in the Republic of Korea, in excess of an adjusted level of restraint of

2,304,960 square yards equivalent for the total of Categories 206–213,¹ and of 22,800,624 square yards equivalent for the total of Categories 214–215, 217–221, 223, and 225–240.²

Within the overall adjusted level of restraint for categories 206 through 213, the following specific adjusted levels of restraint shall apply:

Category	Adjusted Twelve-Month Levels of Restraint 1
206	373, 713 syd.
207	575,000 syd.
208	2, 304, 270 syd.
209	569, 598 syd.
210	369, 756 syd.
211	295, 419 lbs.
212	575,000 syd.
213	0 lbs.

Pursuant to the aforementioned authorities, you are further directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption of manmade fiber textile products in Categories 216, 222, and 224, produced or manufactured in the Republic of Korea, in excess of the following adjusted levels of restraint:

Category	Adjusted Twelve-Month Levels of Restraint 1
216	17,385 dozen
Part of 222 (excludes T.S.	U.S.A.
380.0428 and 380.8165)	93, 373 dozen
224, and part of 222 (T.S.	U.S.A.
Nos. 380.0428 and 380.8165)	522,993 pounds

A detailed description of the man-made fiber textile categories in terms of T.S.U.S.A. numbers and conversion factors were published in the Federal Register on April 29, 1972 (37 F.R. 8802).

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception

<sup>&</sup>lt;sup>1</sup> The adjusted levels of restraint reflect entries made through September 14, 1972. The levels of restraint have not been adjusted to reflect entries made after September 14, 1972. The adjusted levels of restraint reflect entries made through September 6, 1972. The levels of restraint have not been adjusted to reflect entries made after September 6, 1972.

to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-282)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., September 28, 1972.

The following are synopses of drawback rates and amendments issued August 28, 1972, to September 19, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Automobiles, passenger, trucks, and parts thereof.—T.D. 55423—A, as amended by T.D. 55964—A, covering automotive vehicles manufactured under section 1313(a) by The Kaiser Jeep Corp., Toledo, Ohio, with the use of imported diesel automotive engines, further amended to cover (1) a change in name of the manufacturer to Jeep Corp., Detroit, Mich., and (2) to cover passenger automobiles, trucks, and parts thereof manufactured under section 1313(b) by the company at its Toledo, Ohio, factory, with the use of hot and cold rolled steel sheet, galvanized steel sheet, and steel forgings.

Amendment effective on articles covered by (1), above, which are exported on and after March 25, 1970, and on articles covered by (2), above, which are manufactured on and after June 25, 1971, and ex-

ported on and after July 1, 1971.

Supplemental statement of June 27, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., September 1, 1972.

(B) Concentrated orange juice (frozen and unfrozen); concentrated grapefruit juice (frozen and unfrozen); concentrated grapefruit juice

(frozen and unfrozen), unsweetened; concentrated orange-grapefruit blend (frozen and unfrozen) sweetened; concentrated orangegrapefruit blend (frozen and unfrozen), unsweetened; concentrated lemon juice (frozen and unfrozen); concentrated tangerine juice (frozen and unfrozen); concentrated orangeade or orange drink (frozen and unfrozen); concentrated lemonade or lemon drink (frozen and unfrozen), pink and regular; concentrated limeade or lime drink (frozen and unfrozen); concentrated lemon 'n limeade (frozen and unfrozen); sweetened concentrated grape juice and grape drink (frozen and unfrozen); single-strength orange drink; single-strength orange-pineapple drink: single-strength pineapple-grapefruit drink; single-strength cherry flavored drinks, apple drink, and wild berry flavored drink: single-strength citrus cooler drink; single-strength grape drink; single-strength punch drink; bases for orange drinks; bases for orange-pineapple drink; bases for pineapple grapefruit drink; bases for citrus cooler drinks; bases for grape drinks; and bases for punch drinks .- Manufactured by The Coca-Cola Co., Food Div., Houston, Tex., at its Auburndale and Leesburg, Fla.; Anaheim, Calif.; and Kent, Wash., factories, under section 1313(b) with the use of refined sugar, orange juice concentrate in bulk, lemon juice concentrate in bulk, tangerine juice concentrate in bulk, lime juice concentrate in bulk, grape juice concentrate in bulk, grapefruit juice concentrate in bulk, and single-strength orange juice in bulk.

Rate effective on articles manufactured and exported on and after

January 1, 1971.

T.D.'s 53622-F, 54236-D, 55088-B, 55343-A, 55101-D, 69-118-D,

and 69-160-K, revoked.

Manufacturer's statements of June 15, 1972, and September 6, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., September 15, 1972.

(C) Confectionery.—Manufactured under section 1313(b) by Henry Heide, Inc., New Brunswick, N.J., with the use of hard or liquid refined sugar, or both.

Rate effective on articles manufactured and exported on and after January 1, 1970.

T.D.'s 44547–F, 46315–D, 46794–D, 49539–G, 50754–E, 52697–C, and 55924–B, revoked.

Manufacturer's statement of June 22, 1972, forwarded to Regional Commissioners of Customs, San Francisco, Calif., and New York, N.Y., September 12, 1972.

(D) Cosmetic intermediates, oil additive intermediates, plasticizer intermediates, surfactant intermediates, and chemical intermediates; and defoamers, emolliants, lubricants, solvents, and surfactants.—
Manufactured under section 1313(b) by Continental Oil Co., Conoco

Chemical Div., Saddle Brook, N.J., at the company's Lake Charles petrochemical plant, West Lake, La., with the use of normal primary alcohols or mixtures thereof.

Rate effective on articles manufactured on and after January 1,

1969, and exported on and after March 1, 1969.

Manufacturer's statement of May 8, 1972, forwarded to Regional Commissioners of Customs, New York, N.Y.; Baltimore, Md.; New Orleans, La., and Houston, Tex., September 1, 1972.

(E) Cranes, traveling; excavators; and tree harvesters.—Manufactured under section 1313(a) by Drott Mfg. Co., Div. of J. I. Case Co., Schofield, Wis., at its two factories located at Schofield, Wis., with the use of imported bearings, gasoline and diesel engines, hydrostatic transmissions, pumps, motors, winches, and reducers, and on such articles manufactured under section 1313(b) by the company at the stated factories with the use of steel plates, sheet, bars, rods, structurals (angles and channels), track shoes for crawler-type tractor treads, pins, links, roller assemblies, and turntable bearings.

Rate effective on articles manufactured on and after September 5,

1968, and exported on and after September 25, 1968.

Manufacturer's statements of June 8, 1971, and May 8 and August 24, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., September 12, 1972.

(F) Crude formaldehyde, finished and merchant formaldehyde, paraformaldehyde, n-butyl formcel, pentaerythritol (PE), trimethylolpropane (TMP), acetal copolymer, ethylidene diacetate (ETDA), cellulose fiber batting, cellulose acetate flake (fibers grade), cellulose acetate yarn and staple fiber, cigarette tow, cellulose plastics molding material, sheets, sheeting, rolls, and film, triacetate yarn and staple fibers and acetal copolymer pellets.—The following articles covered by schedule #1 manufactured under section 1313(b): crude formaldehyde manufactured by Celanese Corp., New York, N.Y., at its Bishop Tex., and Newark, N.J., factories, with the use of methanol; finished and merchant formaldehyde, paraformaldehyde, n-butyl formcel, pentaerythritol (PE), trimethylolpropane (TMP), acetal copolymer manufactured by the company at the said factories, with the use of crude formaldehyde; such merchandise manufactured by the company at the said factories with the use of methanol;

The following articles covered by schedule #2 manufactured under section 1313(b): ethylidene diacetate (ETDA) manufactured by the company at its Pampa, Tex., factory, with the use of acetic anhydride:

The following articles covered by schedule #3 manufactured under section 1313(b): cellulose acetate fiber batting, cellulose acetate flake (fibers grade), cellulose acetate yarn and staple fibers manufactured with the use of acetic anhydride; cigarette tow manufactured with the use of cellulose acetate flake (fibers grade); cellulose plastics molding material, sheets, sheeting, rolls and film manufactured with the use of cellulose acetate (plastics grade); triacetate yarn and staple fibers manufactured with the use of triacetate flake, all the foregoing manufactured at the company's five factories mentioned in schedule #3;

The following articles covered by schedule #4 manufactured under section 1313(b): Acetal copolymer pellets manufactured by the company at its Bishop, Tex., factory, with the use of acetal copolymer

flake.

Rate effective on articles covered by schedule #1 manufactured and exported on and after January 20, 1966; on articles covered by schedules #2 and #3 manufactured and exported on and after July 1, 1966; and on articles covered by schedule #4 manufactured and exported on and after June 2, 1968.

T.D.'s 55526-A, 70-109-A, and 71-44-F, revoked.

Manufacturer's statements of September 10, 1971, and April 7, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., September 7, 1972.

(G) Gasoline, straight run; kerosene; and petrochemical intermediates and products.—Drawback authorized under the provisions of section 1313(b) on the following products manufactured by The Dow Chemical Co., Midland, Mich., at its various factories:

straight run gasoline and kerosene manufactured with the use of crude petroleum;

ethylene, propylene, and butadiene manufactured with the use of gasoline and kerosene;

ethyl benzene and ethylene dichloride manufactured with the use of ethylene;

 $styrene\ manufactured\ with\ the\ use\ of\ ethyl\ benzene\ ;$ 

styrene-butadiene latexes manufactured with the use of styrene and butadiene;

propylene oxide (refined grade) manufactured with the use of propylene;

mono propylene, dipropylene, and tripropylene glycols manufactured with the use of propylene oxide;

voranols manufactured with the use of propylene oxide;

ethylene oxide manufactured with the use of ethylene;

ethylene, diethylene, triethylene, and tetraethylene glycols manufactured with the use of ethylene oxide;

low density and high density polyethylene manufactured with the use of ethylene; allyl chloride manufactured with the use of propylene; epichlorohydrin manufactured with the use of allyl chloride; glycerine manufactured with the use of epichlorohydrin.

Rate effective on articles manufactured and exported on and after July 1, 1966.

Manufacturer's drawback statements of June 20, 1969, January 12, 1971, and August 1, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., September 15, 1972.

(H) Oil drilling tools.—Manufactured under section 1313(b) by Baker Oil Tools, Inc., Houston, Tex., with the use of hot rolled tubular goods and grey iron castings.

Rate effective on articles manufactured on and after August 2, 1971,

and exported on and after December 8, 1971.

Drawback statement of April 4, 1972, forwarded to Regional Commissioner of Customs, Houston, Tex., September 19, 1972.

(I) Pantyhose, nylon.—T.D. 72-186-0, covering nylon pantyhose manufactured under section 1313(a) by United Hosiery Mills, Ltd., Aguadilla, P.R., at its factory located at Guanica, P.R., with the use of imported yarn, gussets, and knitted half portions of pantyhose (tubes), amended to provide for a change in the effective dates for the allowance of drawback covered by T.D. 72-186-0.

Amendment effective on articles manufactured on and after Janu-

ary 2, 1971, and exported on and after June 10, 1971.

Supplemental statement of August 25, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., September 12, 1972.

(J) Piling shells, corrugated; welded pipe, spiral; fittings consisting of elbows, tees, offsets, and reducers; and other steel products for use in construction work.—T.D. 56255-G, covering corrugated piling shells manufactured under section 1313(b) by Raymond Metal Products Co., New York, N.Y., at its Baltimore, Md., factory, with the use of hot rolled sheet steel, amended to cover corrugated piling shells, spiral welded pipe, fittings, consisting of elbows, tees, offsets, and reducers; and other steel products for use in construction work manufactured under section 1313(b) by the company at the stated factory with the use of steel sheets and steel bars.

Amendment effective on articles manufactured and exported on and after December 28, 1971.

Supplemental statement of May 17, 1972, forwarded to Regional Commissioners of Customs, New York, N.Y., and Baltimore, Md., September 19, 1972.

(K) Preparations, anti-leukemia.—T.D. 52031-B, as amended, covering, among other things, antibiotics known as Keflin and Keflor-

din manufactured by Eli Lilly and Co., Indianapolis, Ind., at its Indianapolis, Lafayette, and Greenfield, Ind., factories, with the use of methionine feed grade, further amended to cover anti-leukemia preparations manufactured by the company under section 1313(b) at its two factories located at Indianapolis, Ind., with the use of vincristine sulfate.

Amendment effective on articles manufactured on and after Jan-

uary 13, 1972, and exported on and after February 21, 1972.

Manufacturer's supplemental statement of July 10, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., September 15, 1972.

(L) Puddings and creme fillings.—Manufactured under section 1313(b) by Northeast Dairy Cooperative Fed., Syracuse, N.Y., at its Oneida, N.Y., factory, with the use of liquid refined sugar.

Rate effective on articles manufactured on and after July 25, 1971,

and exported on and after August 10, 1971.

Manufacturer's statements of February 3, 1972, and August 9, 1972, forwarded to Regional Commissioner of Customs, Boston, Mass., August 28, 1972.

(M) Stampings and assemblies, metal automobile and truck.—T.D. 72-218-N, covering automobile and truck metal stampings and assemblies manufactured under section 1313(b) by Hawthorne Metal Products Co., Royal Oak, Mich., with the use of cold and hot rolled steel sheet, amended to provide for a change in the effective date for the allowance of drawback on the articles covered by T.D. 72-218-N.

Amendment effective on articles which are manufactured on and after September 1, 1971, and exported on and after March 21, 1972.

Supplemental statement of August 3, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., September 7, 1972.

## (T.D. 72-283)

## Classification of A213 Arctic Track Treads RN110

Decision in C.A.D. 1046 (decided April 20, 1972), by the Court of Customs and Patent Appeals, affirming the decision of the United States Customs Court in C.D. 4063, that certain track tread designed for use with off highway tracked motor vehicles was classifiable as other parts of motor vehicles, under item 692.25, Tariff Schedules of the United States, limited

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 5, 1972.

In United States v. Flex Track Equipment, Ltd., et al., C.A.D. 1046 (decided April 20, 1972), the Court of Customs and Patent Appeals,

affirming the decision of the United States Customs Court, C.D. 4063, held that certain track tread designed for use with off highway tracked motor vehicles was not properly classifiable under TSUS item 358.10 as belting for machinery. The court's decision was based in part on a finding that the tread was "more than" belting.

Inasmuch as evidence which was not presented to the Customs Court in that case appears to be available in support of the Government's position, the Government intends to seek a retrial of the issue. Accordingly, pending a new ruling by the court, the decision in C.A.D. 1046 will be limited to the specific entry before the court.

(434.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

(T.D. 72-284)

White or Irish potatoes, other than certified seed-Tariff-rate quota

Tariff-rate quota for the quota year beginning September 15, 1972, for white or Irish potatoes, other than certified seed

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 10, 1972.

The tariff-rate quota for white or Irish potatoes, other than certified seed, pursuant to item 137.25, Tariff Schedules of the United States, for the 12-month period beginning September 15, 1972, is 45,000,000 pounds.

The estimate of the production of white or Irish potatoes, including seed potatoes, in the United States for the calendar year 1972, made by the United States Department of Agriculture as of September 1, 1972, was 29,497,500,000 pounds.

In accordance with headnote 2, part 8A, of schedule 1, Tariff Schedules of the United States, the quantity is not increased because the estimated production is greater than 21,000,000,000 pounds.

(343.3)

R. N. MARRA,

Acting Assistant Commissioner,

Office of Operations.

[Published in the Federal Register October 14, 1972 (37 F.R. 21859)]

#### (T.D. 72-285)

#### Foreign currencies-Quarterly list of rates of exchange

Lists of buying rates in U.S. dollars certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for use during the quarter shown

#### DEPARTMENT OF THE TREASURY,

## OFFICE OF THE COMMISSIONER OF CUSTOMS,

Washington, D.C., October 4, 1972.

The appended table lists the buying rates in U.S. dollars for certain foreign currencies first certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), for a day in the quarter shown. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

(342.211)

## R. N. MARRA, Acting Assistant Commissioner, Office of Operations.

List of values of foreign currencies certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under provisions of section 522(c), Tariff Act of 1930, as amended

QUARTER BEGINNING OCTOBER 1 THROUGH DECEMBER 31, 1972

Country	Name of currency	U.S. Dollars
Australia	Dollar	\$1.1910
Austria	Schilling	. 0433
Belgium		. 022545
Canada		1.0161
Ceylon	Rupee	. 1560
Denmark	Krone	. 1415
Finland	Markka	
France	Franc	
Germany		
India		
Ireland	Pound	
Italy	Lira	
Japan		. 003321
Malaysia	Dollar	. 3610
Mexico.	Peso	
Netherlands	Guilder	
New Zealand		1. 1940
Norway		
Portugal		
Republic of South Africa.	Rand	
Spain		
Sweden		
Switzerland	Franc	
United Kingdom	Pound	

### (T.D. 72-286)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

## DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., October 10, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Adams Cartage Ltd., 3304 Russell St., Windsor 10, Ontario, Canada, motor carrier; Transamerica Ins. Co. (PB 3/10/61) D 9/20/72	Aug. 8, 1972	Aug. 8, 1972	Detroit, Mich.; \$50,000
City Transfer, Inc., 13901 Mica St., Santa Fe Springs, Calif., motor carrier; Liberty Mutual Ins. Co. (PB 9/30/70) D 9/18/72 1	Sept. 6,1972	Sept. 18, 1972	Los Angeles, Calif.; \$25,000
Commercial Carriers, Inc., 10701 Middlebelt, Romulus, Mich., motor carrier; American Casualty Co. of Reading, Pa. (PB 1/1/71) D 9/27/72	Aug. 1, 1972	Sept. 27, 1972	Detroit, Mich.; \$50,000
Cross Border Transportation Ltd., Windsor, Ontario, Canada, motor carrier; U.S. Fidelity & Guaranty Co. D 9/26/72	Sept. 1,1965	Sept. 21, 1965	Detroit, Mich.; \$30,000
O. H. Frisble Moving & Storage Co., Inc., 14225 Schaefer, Detroit, Mich., motor carrier; Western Surety Co. (PB 8/8/83) D 9/25/72 <sup>2</sup>	Sept. 11, 1972	Sept. 25, 1972	Detroit, Mich.; \$50,000
Inter-City Truck Lines, Ltd., Toronto, Ontario, Canada, motor carrier; U.S. Fidelity & Guaranty Co. (FB 4/4/87) D 9/25/72	Aug. 2, 1972	Sept. 25, 1972	Detroit, Mich.; \$50,000
John F. Ivory Storage Co., Inc., 8035 Woodward Ave., Detroit, Mich., motor carrier; The Travelers In- demnity Co. (PB 12/12/62) D 9/20/72	Aug. 21, 1972	Sept. 20, 1972	Detroit, Mich.; \$80,000
Mack Bros., Inc., Victoria, Va., motor carrier; Fidelity & Deposit Co. of Md. D 9/20/12 See footnotes at end of table.	May 31,1969	June 11, 1969	Norfolk, Va.; \$25,000

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Midland Forwarding Corp., 201 Eleventh Ave., New York, N.Y., motor carrier; Hartford Accident & Indemnity Co. (PB 11/14/67) D 9/25/72 *	Sept. 5,1972	Sept. 25, 1972	Chicago, Ill.; \$25,000
The Motor Convoy, Inc., 275 Convoy Dr., SW., Atlanta, Ga., motor carrier; Seaboard Surety Co.	Sept. 18, 1972	Sept. 21, 1972	Savannah, Ga.; \$50,000
<ol> <li>E. Pagan Lagomarsini, Inc., P.O.B. 3476, Ponce Playa, P.R., motor carrier; Puerto Rican-American Ins. Co.</li> </ol>	Aug. 10, 1972	Sept. 5,1972	San Juan, P.R.; \$25,000
Robertson Tank Lines, Inc., 5700 Polk Ave., Houston, Tex., motor carrier; Fidelity & Deposit Co. of Md. D 9/26/72	Apr. 9,1969	Apr. 10, 1969	Houston, Tex.; \$25,000
Smith Transport (International) Ltd., 150 Commissioners St., Toronto, 249, Ontario, Canada, motor carrier; U.S. Fidelity & Guaranty Co.	Sept. 7,1972	Sept. 26, 1972	Detroit, Mich.; \$50,000
Western Cartage, Inc., 1260 Fourth Ave., S., Seattle, Wash., motor carrier; Great American Ins. Co. D 9/21/72	Oct. 8, 1970	Nov. 25, 1970	Seattle, Wash.; \$25,000

<sup>1</sup> Surety is Maryland Casualty Co.

(241.2)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-287)

Foreign currencies-Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupes

DEPARTMENT OF THE TREASURY,
OFFICE OF COMMISSIONER OF CUSTOMS,
Washington, D.C., October 2, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72-194 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to

<sup>3</sup> Surety is Mid-Century Ins. Co.

Surety is The Home Indemnity Co.

convert such currency into currency of the United States, conversion shall be at the following daily rates:

Cevlon rupee:

September	25,	1972	\$0.	1550	
September	26,	1972		1555	
September	27,	1972		1560	
		1972		1560	
		1972		1560	

(342.211)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

[Published in the Federal Register October 17, 1972 (37 F.R. 21959)]

(T.D. 72-288)

Special classes of merchandise—Customs Regulations amended

Part 12, Customs Regulations, relating to import quotas on coffee from nonmember countries of the International Coffee Organization

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I-BUREAU OF CUSTOMS

PART 12-SPECIAL CLASSES OF MERCHANDISE

In accordance with the obligations of the United States under Article 45 of the International Coffee Agreement of 1968, the Department of State has requested that in the period October 1, 1972–March 31, 1973 (the first six months of the coffee year 1972/73), the Bureau of Customs authorize the entry of 2,513,244 pounds of green coffee of nonmember origin. A further notice will be issued regarding the quota for the period April 1, 1973–September 30, 1973. Accordingly, section 12.71(b) of the Customs Regulations is amended to read as follows:

12.71(b) Basket quota. All coffee not specifically identified as a product of or shipment from a member country shall be charged to the quota of 2,513,244 pounds of green coffee, or its equivalent, which is established for the period October 1, 1972–March 31, 1973 (the first six months of the coffee year 1972/73).

(Sec. 302, 82 Stat. 1348, as amended; 19 U.S.C. 1356f. E.O. 11449, January 22, 1969, 34 F.R. 917; 3 CFR 1966-70 Comp.)

Effective Date. This amendment shall become effective as of October 1, 1972.

(343.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved October 6, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register October 14, 1972 (37 F.R. 21804)]

(T.D. 72-289)

### Licensed public gauger

Approval of licensed public gauger performing gauging under standards and procedures required by Customs

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 16, 1972.

Notice is hereby given pursuant to the provisions of section 13.10(a) (5) (IV) of the Customs Regulations that the application of Chas. Martin Inspectors of Petroleum, Inc., 61 Broadway, New York, New York, to gauge imported petroleum and petroleum products in accordance with the provisions of section 13.10(a) of the Customs Regulations is approved.

(334.2)

VERNON D. ACREE, Commissioner of Customs.

(T.D. 72-290)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 11, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown

below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free
September 4, 1972	Holie	day
September 5, 1972	\$0.1785	\$0.177462*
September 6, 1972	. 1755	.177422*
September 7, 1972	. 1750	. 176991*
September 8, 1972	. 1750	. 177147*
Iran rial:		
September 25, 1972		\$0.0130
September 26, 1972	powing the con-	.0130
September 27, 1972		.0131
September 28, 1972		.0128
September 29, 1972		
Philippine peso:		
September 25, 1972		\$0. 1465
September 26, 1972		1465
September 27, 1972		
September 28, 1972		.1450
September 29, 1972		.1460
Thailand baht (tical):		
September 25, 1972		
September 26, 1972		
September 27, 1972		
September 28, 1972	be Leab The	0479
September 29, 1972		
(342.211)		

<sup>\*</sup>Certified nominal.

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

(T.D. 72-291)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles, in certain categories, manufactured or produced in the Arab Republic of Egypt

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 17, 1972.

There is published below the directive of September 26, 1972, received by the Commissioner of Customs from the Chairman, Com-

mittee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles, in certain categories, manufactured or produced in the Arab Republic of Egypt.

This directive was published in the Federal Register on October 2, 1972 (37 F.R. 20743), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

## THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 26, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of October 5, 1970, between the Governments of the United States and the Arab Republic of Egypt, effected by an exchange of notes between the Government of the United States and the Government of India, representing the interests of the Arab Republic of Egypt, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972, and for the twelvementh period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in categories 1/2, 3/4, 9/26, and 16/21/22/27, produced or manufactured in the Arab Republic of Egypt, in excess of the following levels of restraint:

Category	Twelve-Month Level of Restraint
1/2	3,528,000 pounds (of which not more than 3,307,500 pounds may be in
3/4	Category 1, and not more than 441,- 000 pounds may be in Category 2) 661,500 pounds (of which not more than 66,150 pounds may be in Cate- gory 4)

Category 9/26

Twelve-Month Levels of Restraint 33,075,000 square yards (of which not more than 27,562,500 square yards may be in Category 9, and not more than 11,025,000 square yards may be in Category 26)

16/21/22/27

9,922,500 square yards (of which not more than 3,583,125 square yards may be in Category 16, not more than 3,858,750 square yards may be in Category 21, not more than 3,858,-750 square yards may be in Category 22, and not more than 2,149,875 square yards may be in Category 27)

In carrying out out this directive, entries of cotton textiles in the above categories, produced or manufactured in the Arab Republic of Egypt, which have been exported to the United States from the Arab Republic of Egypt prior to October 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the above levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of October 5, 1970 between the Governments of the United States and the Arab Republic of Egypt which provide, in part, for the limited carryover of shortfalls in certain categories to the next agreement year and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Arab Republic of Egypt with respect to imports of cotton textiles and cotton textile products from the Arab Republic of Egypt have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs

exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-292)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in certain categories, manufactured or produced in the Federative Republic of Brazil

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 17, 1972.

There is published below the directive of September 26, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in the Federative Republic of Brazil.

This directive was published in the Federal Register on October 2, 1972 (37 F.R. 20744), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 26, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9,

1962, pursuant to the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972, and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1-4, 9, 18/19 and part of 26 (printcloth), 22/23, part of 26/27 (duck), part of 26/27 (other than printcloth and duck), part of 30/31, 50, 51, 55, and part of 64 produced or manufactured in the Federative Republic of Brazil, in excess of the following levels of restraint:

Category	Twelve-Month Levels of Restraint
1-4	7, 190, 217 pounds
9	13, 230, 000 sq. yds.
18/19 and part of 26 (printcloth)1	11, 576, 250 sq. yds.
22/23	4, 961, 250 sq. yds.
Part of 26/27 (duck)2	2, 756, 250 sq. yds.
Part of 26/27 (other than printcloth and duck) <sup>12</sup>	7, 166, 250 sq. yds.
Part of 30/31 3	6, 336, 206 pieces
50	43, 364 dozen
51	37, 170 dozen
55	15, 132 dozen
Part of 64 (only T.S.U.S.A. Nos.: 3666500 and 386.2500)	239, 674 pounds

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in the Federative Republic of Brazil, which have been exported to the United States from the Federative Republic of Brazil prior to October 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the above levels of restraint for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

3 All of Categories 30 and 31 except T.S.U.S.A. No. 366.2740.

<sup>&</sup>lt;sup>1</sup> In Category 26, the T.S.U.S.A. Nos. for printcloth are :

<sup>322.-34</sup> 327. -34320. -34321. - 34326,-34 328.-34

<sup>&</sup>lt;sup>2</sup> The T.S.U.S.A. Nos. for duck are:

<sup>320.-01</sup> through 04, 06, 08 326.—01 through 04, 06, 08

<sup>321.—01</sup> through 04, 06, 08 327.-01 through 04, 06, 08 328 .- 01 through 04, 06, 08 322 .- 01 through 04, 06, 08

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil which provide, in part, that within the aggregate limit and group limits, the limitations on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972

(37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption

into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

(T.D. 72-293)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in certain categories, manufactured or produced in Peru

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 17, 1972.

There is published below the directive of September 26, 1972, received by the Commissioner of Customs from the Chairman, Committee for

the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Peru.

This directive was published in the Federal Register on October 2, 1972 (37 F.R. 20747), by the Committee.

(343.3)

R. N. MARRA.

Acting Assistant Commissioner, Office of Operations.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 26, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

#### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 23, 1971, between the Governments of the United States and Peru, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972 and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 22, 56, 57, 58, and 60, produced or manufactured in Peru, in excess of the following levels of restraint:

Category	Twelve-Month L	evels of Restraint
22	1,837,500	square yards
56	51,359	dozen
57	42,000	dozen
58	94,500	dozen
60	15,156	dozen

In carrying out this directive, entries of cotton textiles and cotton textile products in the above Categories, produced or manufactured in Peru, which have been exported to the United States from Peru prior to October 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 23, 1971, between the Governments of the United States and Peru which provide, in part, that within the aggregate limit, the limits of certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37

F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Peru and with respect to imports of cotton textiles and cotton textile products from Peru have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER.

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

# (T.D. 72-294)

# Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in certain categories, manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 17, 1972.

There is published below the directive of September 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on October 2, 1972 (37 F.R. 20746), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 28, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral Cotton Textile Agreement of December 30, 1971, as amended, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972, and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption, of

cotton textiles and cotton textile products in Categories 7, 9/10, 18/19/26 (printcloth only), 22/23, 26 (duck fabric), 27/26 (other than duck fabric and printcloth), part of 31, 34/35, 38, 39, 45, 46/47, 48, 49, 50, 51, 52, 53, 54, 55, 60, and parts of 64 (tablecloths, napkins, and zipper tapes only), produced or manufactured in the Republic of Korea in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Level of Restrain
7 North and Carlotte, Colorador and Carlotte,	761,383 square yards
9/10	4,606,362 square yards
18/19/26 (printcloth only 1)	2,930,834 square yards
22/23	2,017,665 square yards
26 (duck fabric 2)	16,750,399 square yards
27/26 (other than duck fabric and printcloth) <sup>3</sup>	2,208,494 square yards
31 (only T.S.U.S.A. No. 366.2740)	1,448,150 pieces
34/35	264,470 pieces
38	175,887 pounds
39	168,607 dozen pairs
45	45,684 dozen
46/47	1,698,205 square yards equivalent
48	14,503 dozen
49	38,069 dozen
50	63,959 dozen
51	86,798 dozen
52	45,684 dozen
53	14,503 dozen
54	68,525 dozen
55	14,503 dozen
60	39,594 dozen
64 (only T.S.U.S.A. Nos.: 366.4500, 366.4600, and 366.4700)	
64 (only T.S.U.S.A. No. 347.3340)	85,274 pounds

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories produced or manufactured in the Republic of Korea, which have been exported to the United States from the Republic of Korea prior to October 1, 1972, shall, to the ex-

<sup>&</sup>lt;sup>1</sup> In Category 26, the T.S.U.S.A. Nos. for printcloth are: 320.—34 322.—34 327.—34 321.—34 326.—34 328.—34 . .

The T.S.U.S.A. Nos. for duck fabric are:

<sup>320.—01</sup> through 04, 06, 08 321.—01 through 04, 06, 08 322.—01 through 04, 06, 08 322.—01 through 04, 06, 08

<sup>8</sup> In Category 26, all T.S.U.S.A. Nos. not included in footnotes 1 and 2

tent of any unfilled balances be charged against the levels of restraint established for such goods for the nine-month period beginning January 1, 1972, and extending through September 30, 1972. In the event that the levels of restraint for the nine-month period ending September 30, 1972 have been exhausted by previous entries, such goods shall be subject to the levels of restraint set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 30, 1971, as amended, between the Governments of the United States and the Republic of Korea which provide, in part, that within the aggregate limit, the limits of certain categories may be exceeded by not more than five percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by further letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources.

(T.D. 72-295)

# Cotton and manmade fiber textiles—Restriction on entry

Restriction on entry of cotton textiles and cotton textile products and wool and mammade fiber textile products manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 18, 1972.

There is published below the directive of September 27, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products and wool and manmade fiber textile products, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on October 2, 1972 (37 F.R. 20745), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 27, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On May 3, 1968, the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit, effective June 10, 1968, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in the Republic of China which did not meet certain visa requirements. The directive of May 3, 1968 was amended by the directive of August 9, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, which authorized you to recognize as part of the visa requirement for shipments of cotton textiles and cotton textile products from the Republic of China, effective

upon publication of that letter in the Federal Register, either the seal enclosed in the earlier letter of May 3, 1968 or the seal enclosed in the letter of August 9, 1972. The present directive cancels the directive of May 3, 1968 as amended by that of August 9, 1972.

Under the provisions of the bilateral Cotton Textile Agreement and the bilateral Wool and Man-Made Fiber Textile Agreement, both of December 30, 1971, between the Governments of the United States and the Republic of China, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective on the date of publication of this letter in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64 and wool textile products in Categories 101-126, 128, and 131-132 and man-made fiber textile products in Categories 200-243, produced or manufactured in the Republic of China, for which the Republic of China has not issued an appropriate Visa, fully described below, provided, however, that wool textile products in Categories 101-126, 128 and 131-132 and man-made fiber textile products in Categories 200-243, produced or manufactured in the Republic of China and exported therefrom prior to the date of publication shall not be denied entry until sixty days after the date of publication.

The Visa will be a stamp on the back side of the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document, or commercial invoice when such form is used); will indicate the actual quantity of cotton, wool, man-made fiber textiles and textile products involved in the appropriate unit or units of measure in the correct category or categories corresponding to the merchandise; and the authorized signature of the official issuing the Visa. The facsimile of the stamp, along with the signature of the official authorized to issue Visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton, wool, and man-made fiber textiles and textile products, produced or manufactured in the Republic of China, and exported to the United States from the Republic of China, not-withstanding the designated shipment or shipments do not meet the aforementioned Visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton, wool, and man-made fiber textiles and textile products from the Republic of China, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources.



# (T.D. 72-296)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., October 16, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free
September 11, 1972	\$0.1755	\$0.177147*
September 12, 1972	. 1755	.177108*
September 13, 1972		. 176952*
September 14, 1972	. 1760	. 176756*
September 15, 1972		. 176444*
Iran rial:		
October 2, 1972		\$0.0129
October 3, 1972		
October 4, 1972		.0131
October 5, 1972		.0131
October 6, 1972		.0131
Philippine peso:		
October 2, 1972		\$0.1460
October 3, 1972		.1460
October 4, 1972		
October 5, 1972		
October 6, 1972		. 1450
Thailand baht (tical):		
October 2, 1972		\$0.0479
October 3, 1972		.0479
October 4, 1972		
October 5, 1972		.0479
October 6, 1972		
(342.211)		
The state of the s	Jane mar	D M M.m.

<sup>\*</sup>Certified nominal

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations,

(T.D. 72-297)

Classification of flat head fully threaded slotted screws of unhardened steel

Decision in C.D. 4344, holding certain flat head fully threaded slotted screws of unhardened steel classifiable under the provision for wood screws of iron or steel, in item 646.49, Tariff Schedules of the United States, limited

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 19, 1972.

The United States Customs Court, in the case of Trans-Atlantic Company v. United States, C.D. 4344 (decided March 22, 1972), held that certain flat head fully threaded slotted screws of unhardened steel are classifiable under the provision for wood screws of iron or steel, in item 646.49, Tariff Schedules of the United States (TSUS), rather than under the provision for other screws of iron or steel, having shanks or threads not over 0.24 inch in diameter, in item 646.60, TSUS.

The screws before the court were found to be chiefly used in wood, and a correlative factor was their low carbon content of 0.08 percent. The Bureau has information indicating that these screws are incapable of being hardened.

Moreover, the Bureau has received additional information that other screws of iron or steel known as "unhardened sheet metal tapping screws" which have a carbon content of at least 0.13 percent are capable of being hardened and are hardened for use in metal.

Therefore, the court's decision in C.D. 4344 is limited to flat head fully threaded slotted screws of unhardened steel with a carbon content of less than 0.13 percent.

(344.3)

LEONARD LEHMAN,
Acting Commissioner of Customs.

(T.D. 72-298)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products in category 53, manufactured or produced in Costa Rica

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., October 24, 1972.

There is published below the directive of October 5, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 53. manufactured or produced in Costa Rica.

This directive was published in the Federal Register on October 11. 1972 (37 F.R. 21456), by the Committee.

(343.3)

R. N. MARRA. Acting Assistant Commissioner, Office of Operations.

> THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

October 5, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3. 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning October 1, 1972 and extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 53, produced or manufactured in Costa Rica, in excess of a level of restraint for the period of 30,870 dozen.

In carrying out this directive, entries of cotton textile products in Category 53, produced or manufactured in Costa Rica, which have been exported to the United States from Costa Rica prior to October 1. 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period October 1, 1971, through September 30, 1972. In the event that the level of restraint established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

A detailed description of Category 53 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Costa Rica and with respect to imports of cotton textiles and cotton textile products from Costa Rica have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely.

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-299)

Customhouse Brokers-Customs Regulations amended

Retention of records of brokers and use of microfilm; section 111.23 amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19-CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 111-CUSTOMHOUSE BROKERS

On July 13, 1972, a notice of proposed rule making was published in the Federal Register (37 F.R. 13717), which proposed to allow customhouse brokers to microfilm their records at any time after the entry to which the documents pertain has been liquidated and to set standards for such microfilming. It also proposed that hard-copy reproductions of any or all microfilmed records be made available, when required, at the expense of the customhouse brokers.

No comments were filed in response to the notice of proposed rule

making.

A technical change has been made in paragraph (b) (5) of section 111.23, changing "director, field audit" to "regional director, security and audit" to reflect a reorganization within the Bureau of Customs.

Accordingly, the amendment to section 111.23 of the Customs Regulations is hereby adopted as set forth below.

Effective date. This amendment shall become effective 30 days after publication in the Federal Register.

(014.1)

Leonard Lehman,
Acting Commissioner of Customs.

Approved October 18, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register October 28, 1972 (37 F.R. 23100)]

# PART 111—CUSTOMHOUSE BROKERS

(2) Copies of the records, on ether roll microfilm or unit sucre-

Section 111.23 is amended by revising paragraph (b) and making a new paragraph (c), to read as follows:

# § 111.23 Retention of books and papers.

- (b) Microfilming of books and papers. A broker, with the approval of the district director for the district in which he is licensed, may record on microfilm any books and papers, other than books of account or powers of attorney, required to be retained under the provisions of paragraph (a) of this section, at any time after the entry to which these books and papers pertain has been liquidated, upon the following conditions:
- (1) Approval of microfilming. The broker shall submit to the district director for the district in which he is licensed a request for approval to microfilm records containing the following certification:

This certifies that the records for which this approval is requested shall be microfilmed in accordance with the standards set forth in section 111.23(c) of the Customs Regulations (19 CFR 111.23(c)).

(2) Retention of microfilm records. The broker shall retain and keep available an original and one reproduction of each microfilm for the period specified by paragraph (a) of this section.

(3) Use of microfilm records. The reproduction copy of the original negative microfilm of books and papers may be used for reference purposes. However, the original negative microfilm shall not be used for reference purposes, and adequate measures shall be taken to keep the original negative clean and free from scratches.

(4) Hard-copy reproductions. Brokers microfilming their records

shall use microfilm equipment having the capability of making direct

hard-copy reproductions of the microfilmed records.

(5) Expense of reproductions. Brokers shall bear the expense of making hard-copy reproductions of any or all microfilmed records required by the regional director, security and audit, the special agent in charge, or other proper official of the Bureau of Customs for the audit or inspection of books and records.

(c) Standards required for microfilming. Brokers microfilming their records shall maintain the integrity of the original records by insuring that the microfilm copies are true reproductions of the original records and serve the purpose for which such records were created.

The following shall be observed in any microfilming:

(1) Copies shall contain all significant record detail shown on

the original.

(2) Copies of the records, on either roll microfilm or unit microfilm systems, shall be so arranged, identified, and indexed that any individual document or component of the records can be located with reasonable facility.

(3) Any indexes, registers or other finding aids shall be micro-

filmed at the beginning of the records to which they relate.

(R.S. 251, as amended; secs. 624, 641, 46 Stat. 759, as amended; 19 U.S.C. 66, 1624, 1641)

# (T.D. 72–300)

Foreign currencies-Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 24, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free
September 18, 1972	\$0.1760	\$0.175978*
September 19, 1972	. 1760	.175515*
September 20, 1972	. 1760	.175746*
September 21, 1972	. 1760	.176522*
September 22, 1972	. 1740	.176483*

<sup>\*</sup>Certified nominal.

#### Iran rial:

mi riai.			
October	10,	1972	\$0.0128
October	11,	1972	. 0129
October	12,	1972	. 0128
October	13	1079	0109

# Philippine peso:

For the period October 10 through October 13, 1972, rate of \$0.1460.

### Thailand baht (tical):

October	10,	1972	\$0.0478
October	11,	1972	. 0478
October	12,	1972	. 0478
		1972	. 0479

# (342.211)

# R. N. MARRA, Acting Assistant Commissioner, Office of Operations.

# (T.D. 72-301)

# Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products in certain categories, manufactured or produced in Haiti

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 27, 1972.

There is published below the directive of September 29, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in certain categories manufactured or produced in Haiti.

This directive was published in the Federal Register on October 4, 1972 (37 F.R. 20881), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 29, 1972.

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20226

### DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 3, 1971, between the Governments of the United States and Haiti, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972 and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 39, 53, and 54, produced or manufactured in Haiti, in excess of the following levels of restraint:

Category	Levels of Restraint
39	210,000 dozen pairs
53	19,702 dozen
54	31,500 dozen

In carrying out this directive, entries of cotton textile products in Categories 39, 53, and 54, produced or manufactured in Haiti and which have been exported to the United States from Haiti prior to October 1, 1972, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 3, 1971, between the Governments of the United States and Haiti which provide, in part, that within the aggregate limit, the limits of certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by further letter.

The first paragraph of the directive of April 25, 1972 is amended, effective as soon as possible, to read as follows:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 3, 1971, between the Governments of the United States and Haiti, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective upon publication of this letter in the Federal Register, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 51, produced or manufactured in Haiti and which have been exported to the United States during the period beginning October 1, 1971 and extending through September 30, 1973.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the commonwealth of Puerto Rico.

The actions taken with respect to the Government of Haiti and with respect to imports of cotton textiles and cotton textile products from Haiti have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register. Sincerely,

STANLEY NEHMER.

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-302)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textile products in category 50, manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.O., October 27, 1972.

There is published below the directive of September 28, 1972, received by the Commissioner of Customs from the Chairman, Commit-

tee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 50, manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on October 4, 1972 (37 F.R. 20882), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 28, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On December 30, 1971 the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit entry during the ninemonth period beginning January 1, 1972 of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of Korea, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup>

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 6 of the bilateral cotton textile agreement of December 30, 1971, as amended, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the level of restraint established in the aforesaid directive of December 30, 1971 for cotton textile products in Category 50 to 48,547 dozen for the nine-month period beginning January 1, 1972.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to

<sup>&</sup>lt;sup>1</sup>The term "adjustment" refers to those provisions of the bilateral cotton textile agreement of December 30, 1971 between the Governments of the United States and the Republic of Korea which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-303)

Wool and manmade fiber textiles-Restriction on entry

Restriction on entry of wool and manmade fiber textile products in certain categories, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 27, 1972.

There is published below the directive of September 29, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry in the United States of wool and manmade fiber textile products in certain categories manufactured or produced in the Republic of China.

This directive was published in the Federal Register on October 4, 1972 (37 F.R. 20883), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 29, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226
DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972 and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Categories 116 and 117 and man-made fiber textile products in Categories 211, 213, 216, 219, 221, 222, 224, 228, 232, 234, and 235, produced or manufactured in the Republic of China, in excess of the following twelve-month levels of restraint:

116 828, 718	aint
	lbs.
117 (808-47 (1.1) 517, 949	lbs.
211 701, 923	lbs.
213 7, 019, 231	lbs.
216 604, 305	doz.
219 4, 651, 961	doz.
221 3, 273, 098	doz.
222 3,075,843	doz.
*224 8, 333, 333	lbs.
228 376, 807	doz.
232 526, 848	doz.
234 986, 931	doz.
235 1,432,543	doz.

In carrying out this directive, entries of wool and man-made fiber textile products in the above categories, produced or manufactured in the Republic of China, which have been exported to the United States prior to October 1, 1972, shall, to the extent of any unfilled balances be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the levels of restraint for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 30, 1971 between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more that 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; for limited inter-fiber

<sup>\*</sup>Consultation category—level established in accordance with provisions of paragraph 3 of the wool and man-made fiber textile agreement with the Republic of China.

flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

A detailed description of the wool and man-made fiber textile categories in terms of T.S.U.S.A. numbers and conversion factors was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the

Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of wool and man-made fiber textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-304)

Wool and manmade fiber textiles-Restriction on entry

Restriction on entry of wool and manmade fiber textile products in certain categories, manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 27, 1972.

There is published below the directive of September 28, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of wool and manmade fiber textile products in certain categories manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on October 4, 1972 (37 F.R. 20883), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

# THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

September 28, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective October 1, 1972 and for the twelve-month period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Categories 104 and 120; man-made fiber textile products in Categories 200–205 and 241–243, as a group, and the nine constituent categories comprising that group; Categories 206–213, as a group, and the eight constituent categories comprising that group; and Categories 214–240, as a group, and the 27 constituent categories comprising that group, in excess of the following twelve-month levels of restraint:

Category	Twelve-Month Levels of Restraint
104	1,520,959 square yards
120	317, 275 pieces
200-205 and 241-243	34, 676, 300 square yards equivalent
*200	1,709,402 pounds
*201	96, 339 pounds
*202	2, 586, 207 pounds
*203	147,059 pounds
*204	121, 359 pounds
*205	142,450 pounds
*241	4,545, 455 square feet
*242	128, 205 pounds
*243	256, 410 pounds
206-213	17,488,600 square yards equivalent
*206	500,000 square yards
*207	500,000 square yards
*208	8,000,000 square yards
*209	500,000 square yards
*210	500,000 square yards

<sup>\*</sup>Consultation categories—levels established in accordance with provisions of paragraph 3 of the wool and man-made fiber textile agreement with the Republic of Korea.

211	1, 856, 144	pounds
*212	500,000	square yards
*213	89,744	pounds
214-240	323, 122, 100	square yards equivalent
*214	198, 300	dozen pairs
*215	163,043	dozen pairs
216	126, 332	dozen
*217	8,661	dozen
*218	552, 486	dozen
219	3, 461, 231	dozen
*220	28,090	dozen
221	2, 375, 095	dozen
Part 222 (excluding	ura irralimore	
T.S.U.S.A. No.		
380.0428 and		
380.8165)	678, 513	dozen
*223	468,750	dozen
*224/part 222 (only		
T.S.U.S.A. No.		
380.0428 and		
380.8165)	4, 230, 769	pounds
*225	73, 684	dozen
*226	210, 843	dozen
*227	44,872	pounds
228	650,002	dozen
229	652, 663	dozen
*230	14, 349	dozen
*231	6, 863	dozen
*232	6, 736	dozen
*233	16,432	dozen
234	3,260,588	dozen
235	1,206,451	dozen
*236	19,663	dozen
*237		numbers
238	161, 798	dozen
*239	31,250	dozen
*240	689, 103	pounds

In carrying out this directive, entries of wool and man-made fiber textile products in the above categories, produced or manufactured in the Republic of Korea, which have been exported to the United States prior to October 1, 1972, shall, to the extent of any unfilled balances be charged against the levels of restraint established for such goods during the period October 1, 1971 through September 30, 1972. In the event that the levels of restraint for that period have been

exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; for limited inter-fiber flexibility between cotton textiles and man-made fiber textile products of the comparable category; and for administrative arrangements.

A detailed description of the wool and man-made fiber textile categories in terms of T.S.U.S.A. numbers and conversion factors was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of wool and man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary
for Resources

(T.D. 72-305)

Cotton textiles-Restriction on entry

Restriction on entry of cotton textiles and cotton textile products in certain categories, manufactured or produced in Thailand

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 30, 1972.

There is published below the directive of October 17, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles and cotton textile products in certain categories manufactured or produced in Thailand.

This directive was published in the Federal Register on October 20, 1972 (37 F.R. 22640), by the Committee.

(343.3)

R. N. MARRA. Acting Assistant Commissioner, Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

October 17, 1972.

COMMISSIONER OF CUSTOMS Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On March 27, 1972 the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning April 1, 1972 of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in Thailand, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.1

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 5 of the bilateral cotton textile agreement of March 16, 1972, between the Governments of the United States and Thailand, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of March 27, 1972 for cotton textiles and cotton textile prod-

<sup>&</sup>lt;sup>1</sup>The term "adjustment" refers to those provisions of the bilateral cotton textile agreement of March 16, 1972 between the Governments of the United States and Thailand which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

ucts in Categories 9/10, 15/16, 22/23, 26/27, and 54 produced or manufactured in Thailand, as set forth below:

	Amended Twelve-Month Level
Category	of Restraint
9/10	1,968,750 square yards
15/16	752,000 square yards
22/23	1,181,250 square yards
26/27	1,403,050 square yards
54	3,209 dozens

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

STANLEY NEHMER.

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources

(T.D. 72-306)

#### Ronds

Approval and discontinuance of bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 31, 1972.

Bonds on Customs Form 7587 for the control of instruments of international traffic of a kind specified in section 10.41a of the Customs Regulations have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been dis-

continued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Cast North America Ltd., One Westmount Sq., Montreal Canada; Transamerica Ins. Co.	Sept. 1, 1972	Sept. 28, 1972	Chicago, Ill.; \$10,000
Furness Interocean Corp., 310 Sansome St., San Francisco, Calif.; St. Paul Fire & Marine Ins. Co.	Sept. 18, 1972	Oct. 2, 1972	San Francisco, Calif.; \$10,000
Las Vegas Distributing Co., 215 W. Colorado Ave., Las Vegas, Nev.; St. Paul Fire & Marine Ins. Co. D 10/17/72	Nov. 2, 1970	Nov. 2,1970	Los Angeles, Calif.; \$10,000
The Mearl Corp., Ossining, N.Y.; Maine Bonding & Casualty Co.	Sept. 12, 1972	Sept. 26, 1972	Portland, Me.; \$10,000
Possidon Lines, Compass Agencies, Inc. as Agents only, 327 S. La Salle St., Chicago, Ill.; St. Paul Fire & Marine Ins. Co. D 9/28/72	April 17, 1967	May 11,1967	Chicago, Ill.; \$10,000
Retla Steamship Co., 1300 S. Beacon St., San Pedro, Calif.; Maryland Casualty Co. D 10/28/72	Oct. 28, 1964	Oct. 28, 1964	Los Angeles, Calif.; \$25,000
Smith & Johnson (Shipping) Inc., 906 National Bank of Commerce Building, New Orleans, La.; Em- ployers Commercial Union Ins. Co.	Oct. 5,1972	Oct. 6,1972	New Orleans, La.; \$10,000
Vought Helicopter Inc. sub. of LTV Aerospace, 1401 Marshall, Grand Prairie, Tex.; St. Paul Fire & Marine Ins. Co.	Sept. 14, 1972	Sept. 20, 1972	Houston, Tex.; \$10,000
Zim-American Israeli Shipping Co. (N.Y. Corp.), 42 Broadway, New York, N.Y.; Peerless Ins. Co. (PB 1/24/63) D 10/13/72 1	Oct. 12, 1972	Oct. 13, 1972	New York Seaport \$10,000

<sup>1</sup> Surety is St. Paul Fire & Marine Ins. Co.

(542.113)

LEONARD LEHMAN,
Assistant Commissioner
Office of Regulations and Rulings.

(T.D. 72-307)

Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 31, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Name of principal and surety	Name of principal and surety  Date of bond  Date of approval		Filed with district director/area director; amount	
Chicago & North Western Transportation Co., 400 W. Madison St., Chicago, Ill., rail carrier; Western Surety Co.	June 1, 1972	Oct. 19, 1972	Chicago, Ill.; \$50,000	
(PB 2/16/45) D 10/19/72 <sup>1</sup> GWG Ltd., Edmonton, Alberta, Canada, motor carrier; Transamerica Ins. Co.	July 31, 1972	Oct. 5, 1972	Laredo, Tex.; \$25,000	
Import Freight Carriers, Inc., 2800 W. 38th St., Chicago, Ill. freight forwarder; Ins. Co. of North America	June 30, 1972	Oct. 13, 1972	Chicago, Ill.; \$50,000	
Import Freight Carriers Inc., 2800 W. 38th St., Chicago, Ill., motor carrier; American Casualty Co. D 10/5/72	June 2,1971	June 7, 1971	New York S3a- port; \$50,000	
Kansas City Southern Railroad Co., 114 W. 11th St., Kansas City, Mo., rail carrier; U.S. Fidelity & Guaranty Co. (PB 8/5/41) D 10/13/72	Aug. 23, 1972	Oct. 13, 1972	St. Louis, Mo.; \$50,000	
Machinery Transport Inc., P.O.B. 2338, East Peoria, Ill., motor carrier; Continental Casualty Co.	Aug. 28, 1972	Oct. 13, 1972	Chicago, Ill.; \$25,000	
Midwest Emery Freight System Inc. (Ohio Corp.), 7000 S. Pulaski Rd., Chicago, Ill., motor carrier; American Casualty Co. (PB 10/4/69) D 10/18/72 <sup>3</sup>	Oct. 4,1972	Oct. 13, 1972	Chicago, Il1.; \$50,000	
National Cold Transport, Inc., 1801 N. W. 1st Ave., Miami, Fla., motor carrier, Aetna Ins. Co.	Oct. 5, 1972	Oct. 13,1972	Miami, Fla.; \$50,000	
Penn Pacific Co., 1711 E. 15th St., Los Angeles, Calif., motor carrier; American Bonding Co.	Feb. 16,1972	Oct. 19,1972	Los Angeles, Calif.; \$25,000	
Refrigerated Transport Co., 3901 Jonesboro Rd., Forest Park, Ca., motor carrier; The Aetna Casualty & Surety Co. (PB 8/25/68) D 10/2/72 3	Aug. 25,1972	Oct. 2,1972	Savannah, Ga.; \$25,000	
Shippers Dispatch, Inc., 1216 W. Sample St., South Bend, Ind., motor carrier; U.S. Fidelity & Guar- anty Co.	May 25, 1954	June 2,1954	Detroit, Mich.; \$10,000	
D 10/4/72 The Texas & Pacific Railway Co. and Texas Pacific- Missouri Pacific Terminal Railroad Co., 210 N. 13th St., St. Louis, Mo., rail carrier; General Ins. Co. of America	Oct. 1, 1972	Oct. 2, 1972	New Orleans, La.; \$100,000	
(PB 19/1/41) D 10/2/72 4 White Star Trucking, Inc., 1750 Southfield Rd., Lin- coln Park, Mich., motor carrier; Fidelity & Deposit Co. of Md. (PB 4/25/68) D 10/4/72	Aug. 3, 1972	Oct. 4, 1972	Detroit, Mich.; \$50,000	

Surety is St. Paul Fire & Marine Ins. Co. Principle is Chicago & Northwestern Railway Co;
 Surety is Seaboard Surety Co.
 Surety is National Surety Corp.
 Surety is Oliobe Ins. Co.

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings.

# (T.D. 72-308)

# Foreign Currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., October 30, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free	
September 25, 1972	\$0.1760	Not available	
September 26, 1972	. 1760	"	"
September 27, 1972	. 1765	66	66
September 28, 1972	. 1750	44	66
September 29, 1972	. 1755	33	66
Iran rial:			
October 16, 1972		(	\$0.0131
October 17, 1972			. 0131
October 18, 1972			. 0131
October 19, 1972			. 0128
October 20, 1972			. 0130

# Philippine peso:

For the period October 16 through October 20, 1972, rate of \$0.1460.

Thailand baht (tical):	
October 16, 1972	\$0.0478
October 17, 1972	. 0478
October 18, 1972	. 0478
October 19, 1972	. 0479
October 20, 1972	. 0478
(342.211)	

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

(T.D. 72-309)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 30, 1972.

The following are synopses of drawback rates and amendments issued September 22 to October 25, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approval under section 22.6, Customs Regulations.

(731.1)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Ammonium paratungstate and blue oxide.—T. D. 49440–J, covering tungsten powder, ingots, rods, and wire manufactured under section 1313 (b) by The General Electric Co., at its Euclid, Ohio, factory, with the use of tungsten ore and concentrates, and on tungsten ingots, rods, and wire manufactured by the company at the stated factory, with the use of tungsten powder, amended to cover ammonium paratungstate and blue oxide manufactured by the company at its Cleveland, Ohio, factory, with the use of tungsten ore or concentrates.

Amendment effective on articles manufactured and exported on and after January 1, 1973.

Supplemental statement of October 13, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., October 20, 1972.

(B) Assemblies, hydraulic pump, motor and valve; and machined castings.—Manufactured (1) under section 1313(b) by Commercial Shearing & Stamping Co., Youngstown, Ohio, at its factories located at Youngstown, Ohio, and Butler, Ind., with the use of rough and machined shafts for pumps, and (2) such articles manufactured under section 1313(b) by the said company under the name of Commercial Shearing, Inc., Youngstown, Ohio, at its above factories.

Rate effective on articles covered by (1), above, which are manufactured on and after February 1, 1966, and exported on and after June 18, 1971, and on articles covered by (2), above, which are

exported on and after March 1, 1972.

Manufacturer's statements of May 10, 1972, and July 17, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., September 22, 1972.

(C) Citrus juices, canned, packaged, or barreled, citrus bases, concentrates, and flavoring extracts.—T.D. 55650-A, as amended by T.D. 56506-D, covering canned, packaged, or barreled citrus juices, citrus bases, concentrates, and flavoring extracts manufactured under section 1313(b) by Orange Products Div., Sunkist Growers, Inc., Ontario, Calif., with the use of concentrated orange juice, further amended to cover such products manufactured under section 1313(b) by the said company with the use of concentrated grapefruit juice.

Amended effective on articles manufactured and exported on and

after August 16, 1971.

Supplemental statement of July 13, 1972, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., October 5, 1972.

(D) Corduroy cloth, finished.—Manufactured under section 1313
 (b) by The Jefferson Mills, Inc., Jefferson, Ga., at its Jefferson and Crawford, Ga., factories, with the use of greige piece goods.

Rate effective on articles manufactured on and after January 1,

1972, and exported on and after June 2, 1972.

Manufacturer's statement of September 20, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., October 24, 1972.

(E) Lash barges or lighters.—Manufactured under section 1313(g) by Equitable Equipment, Inc., New Orleans, La., with the use of imported merchandise listed in the manufacturer's drawback statement.

Rate effective on articles manufactured and exported on and after

March 22, 1972.

Manufacturer's statement of September 8, 1972, forwarded to Regional Commissioners of Customs, San Francisco, Calif., and New Orleans, La., October 25, 1972.

(F) Lemon oil on gum acacia.—T.D. 48247–K, as amended by T.D.'s 53721–D, 55898–C, and 72–196–F, covering, among other things, powdered lemon juices manufactured under section 1313(b) by MCP Foods, Inc., Anaheim, Calif., with the use of frozen concentrated lemon juice, further amended to cover lemon oil on gum acacia manufactured under the provisions of section 1313(b) by the said company with the use of lemon oil.

Amendment effective on articles manufactured and exported on and

after August 1, 1972.

Supplemental statement of August 15, 1972, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., October 18, 1972.

(G) Powder, aluminum.—Manufactured under section 1313(b) by Atomized Metal Powders, Inc., Flemington, N.J., with the use of aluminum sows, aluminum T-bars, and aluminum ingots.

Rate effective on articles manufactured on and after May 14, 1971, and exported on and after June 24, 1971.

Manufacturer's drawback statement of July 27, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., October 10, 1972.

(H) Springs, steel, for power brakes.—Manufactured under section 1313(b) by Quality Springs Products, Inc., Div. of Kuhlman Corp., Coldwater, Mich., with the use of steel spring wire.

Rate effective on articles manufactured on and after January 24,

1972, and exported on and after February 16, 1972.

Manufacturer's statement of August 4, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., October 10, 1972.

steel sheet, cold-rolled, electrolytic tin plate, and galvanized steel sheet.—T.D. 72-98-E, covering cold-rolled steel sheet, electrolytic tin plate and galvanized steel sheet manufactured under section 1313(b) by Kaiser Steel Corp., Oakland, Calif., at its Los Angeles and Fontana, Calif., factories, with the use of hot-rolled and cold-rolled steel sheet in coil, amended to cover the stated articles manufactured on and after March 31, 1970, and exported on and after May 12, 1971.

Supplemental statement of June 23, 1972, forwarded to Regional Commissioner of Customs, Los Angeles, Calif., October 16, 1972.

(J) Tablecloths, momie, and momie napkins.—Manufactured under section 1313(b) by Artex International, Inc., Highland, Ill., at its factories located at Highland, Ill., and West Point, Miss., with the use of cotton momie cloth.

Rate effective on articles manufactured on and after February 20, 1972, and exported on and after March 7, 1972.

Manufacturer's statements of April 7, 1972, and September 13, 1972, forwarded to Regional Commissioners of Customs, Chicago, Ill., and New Orleans, La., October 11, 1972.

(K) Tubing, steel.—T.D. 69-240-Z, covering steel tubing manufactured under section 1313(b) by Leavitt Tube Co., Inc., Chicago, Ill., with the use of hot rolled, cold rolled, and galvanized sheet steel in coils, amended to cover such articles manufactured by Leavitt Tube Div., Unarco Industries, Inc., Chicago, Ill., successor.

Amendment effective on articles exported on and after May 22, 1970,

the date of succession.

Supplemental statement of August 9, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., October 11, 1972.

(L) Wool, sorted or scoured, and combed wool top.—Drawback allowed on (1) sorted wool, scoured wool, and combed wool top manufactured under section 1313(b) by Caron Spinning Co., Rochelle, Ill., through its agents and at its Rochelle, Ill., factory, with the use of grease wool; and on (2) combed wool top manufactured under section 1313(b) by the stated company through its agents and at the stated factory, with the use of scoured wool.

Rate effective on articles manufactured on and after April 26, 1972,

and exported on and after May 21, 1972.

Manufacturer's statement of July 18, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., October 11, 1972.

#### Approval under section 22.6, Customs Regulations

(1) Petroleum products.—Manufactured under section 1313(b) by Allied Materials Corp., Oklahoma City, Okla., at its Stroud, Okla., refinery, with the use of crude petroleum.

Approval effective on products manufactured and exported on and

after May 16, 1968.

Manufacturer's statement of July 20, 1971, forwarded to Regional Commissioner of Customs, Houston, Tex., September 22, 1972.

# (T.D. 72-310)

# Drawback-Customs Regulations amended

Changes in the procedure for showing proof of export for drawback purposes

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

# TITLE 19—CUSTOMS DUTIES

# CHAPTER I—BUREAU OF CUSTOMS

#### PART 22-DRAWBACK

On April 23, 1970, a notice of proposed rule making relating to proof of export for drawback purposes was published in the Federal Register (35 F.R. 6505). It was proposed to eliminate usage of the notice of exportation and the shipper's export declaration for drawback purposes and to provide two alternative procedures by which the drawback claimant could establish export of the goods upon which drawback would be claimed. Interested persons were given 60 days from the date

of publication of the notice to submit relevant written data, views or arguments regarding the proposed amendments to the regulations.

Because of the response to the notice of April 23, 1970, a supplemental notice was published on March 3, 1971 (36 F.R. 4046), which titled the two alternative procedures suggested in the prior notice: (1) Carrier Document, and (2) Export Examination, and made some minor revisions on these procedures. Furthermore, a third procedure entitled Exporter's Summary was proposed. As in the previous notice,

the public was given 60 days to respond.

From the response to both notices, it has been found that the present procedure of filing notices of exportation, with an alternative to the certification requirement will best satisfy the needs of the drawback claimants. The proposed Carrier Document and Export Examination procedures, on the other hand, were strongly objected to as being too time consuming. Therefore, the proposed Carrier Document, and the Export Examination procedures are withdrawn. The present Notice of Exportation procedure is retained. Furthermore, the drawback claimant will be given an option of either submitting the notice of exportation to the district director of Customs at the port of exportation, of furnishing the uncertified notice of exportation with the drawback entry supported by documentary evidence of exportation such as the bill of lading, air waybill, or cargo manifest, or certified copies thereof.

The Exporter's Summary procedure is implemented in the manner proposed in the notice of March 3, 1971, but with the addition of a new suggested format for setting forth the chronological summary of

exports under that procedure.

Drawback claims which are pending on the effective date of the amendments of the Customs Regulations may be processed under the regulations in their present form, or under the regulations as amended, at the option of the claimant.

The most significant changes from the notice of proposed rule making of March 3, 1971, are as follows:

- 1. The proposed changes in sections 22.6(f) (19), 22.10, 22.18(b), 22.20, 22.37(a), and 22.45 of the Customs Regulations are withdrawn, and the text of those sections as they appear in the present regulations is retained.
- 2. Section 22.7(a) is amended by listing the three optional procedures as: (1) Certified Notice of Exportation, (2) Uncertified Notice of Exportation, and (3) Exporter's Summary. The Certified Notice of Exportation procedure is the same procedure followed in the present regulations, whereas the Uncertified Notice of Exportation procedure is a liberalized version of the present procedure which permits the filing of an uncertified notice if evidence of exportation is presented.

3. Section 22.7(b) is withdrawn as proposed and in its place appear provisions that set forth the current procedure for the certified notice of exportation. Subparagraphs (1) to (5) of section 22.7(b), except for a few minor editorial changes, are identical to paragraphs (a) to (e) of section 22.7 of the current regulations. However, subparagraph (6) of section 22.7(b) serves as a cross-reference to section 22.8 which covers drawback procedures on mail shipments, and is entirely new.

4. Section 22.7(c) is revised to set forth a liberalized procedure which permits filing an uncertified notice of exportation. In lieu of obtaining certification of the notice of exportation, the drawback claimant may furnish an uncertified notice of exportation supported by evidence of exportation such as the bill of lading, air waybill, freight waybill, Canadian Customs manifest, cargo manifest, or certified

copies thereof.

5. Section 22.7(d) adopts the Exporter's Summary procedure. However, this section is amended by adding to it a suggested format for

setting forth the chronological summary of exports.

6. In sections 22.8, 22.9, and 22.11, the term "notice of exportation" is substituted for the terms "Certificate of Registration" or "Certificate of Registration, Customs Form 4455", wherever either of those terms appear. In section 22.20(d), the term "notice of exportation" is retained.

7. Section 22.11 is changed by deleting the first sentence and by substituting "regional commissioner" for "district director" in the section as amended. The section is further changed by providing for the amendment of any certified or uncertified notice of exportation

as well as the amendment of an exporter's summary.

8. Section 22.13(a) is changed to provide for the documentation required to show proof of exportation when the certified and uncertified notices of exportation and the exporter's summary are used. Minor editorial changes have been made because of the changes in

procedures prescribed by section 22.7.

9. Section 22.17(a) is changed by adding to the first sentence the clause "or the regional commissioner for the region where the drawback claim is liquidated" as an additional person who may require a landing certificate. Also, in the last sentence of this section the term "Customs officers" is substituted for "the district director of Customs".

10. In sections 22.17 and 22.21, the word "master" is deleted from the

phrase "master air waybill" where this phrase appears.

11. In section 22.21(a), the person who is held to be the exporter and entitled to claim drawback is changed to the person named exporter in (1) the district director's certificate on the notice of exportation, or in (2) the bill of lading, air waybill, freight waybill, Canadian Customs manifest, cargo manifest, or certified copies thereof, when other than the certified notice of exportation is used.

12. Section 22.26(a) is changed by deleting the phrase "and clearance of the exporting conveyance has been established by the records in the case of direct exportation or by a certificate when the merchandise was exported at another port".

Accordingly, section 22.6 (g-1) (10), 22.7, 22.8, 22.9, 22.11, 22.13 (a), 22.17 (a), 22.21 (a), and <math>22.26 (a) are hereby adopted as set forth below.

 $\it Effective\ date.$  This amendment shall become effective 30 days after publication in the Federal Register.

(014.1)

LEONARD LEHMAN, Acting Commissioner of Customs.

Approved October 31, 1972:

Eugene T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register November 8, 1972 (37 F.R. 23712)]

#### PART 22-DRAWBACK

Section 22.6(g-1) (10) is amended to read:

(g-1) Crude petroleum and petroleum derivatives; substitution.

(10) The refiner shall file a combination drawback entry and certificate of manufacture showing the products exported in the quantities established by the notices of lading and other evidence of exportation. Inasmuch as exported products, as described on the notices of lading and other evidence of exportation may include quantities of nonpetroleum additives, a recapitulation shall be made showing quantities exported and the quantity of each product (less additives) in terms of the abstract.

Section 22.7 is amended to read:

§ 22.7 Evidence of exportation.—(a) Optional procedures. Exportation of articles covered by a drawback claim shall be established by compliance with the provisions of one of the following procedures:

(1) Certified Notice of Exportation described in paragraph (b)

of this section;

- (2) Uncertified Notice of Exportation described in paragraph (c) of this section;
- (3) Exporter's Summary described in paragraph (d) of this section.
  - (b) Certified Notice of Exportation procedure.
- (1) A notice of exportation, in triplicate, on Customs Form 7511 for each shipment of merchandise on which drawback is to be claimed

under this procedure shall be filed by the exporter or his agent with the district director of Customs at the port at which the shipment is to be exported from the United States. Such notice shall show the name of the exporting vessel or other carrier, the number and kind of packages and their marks and numbers, the description of the merchandise and its weight (gross and net), gauge, measure, or number, the name of the exporter, and the name of the port where the drawback entry is to be filed. If the merchandise is to be exported in railroad cars, a notice of exportation shall be filed for each car.

(2) Except as provided for in sections 22.8 and 22.9, the notice of exportation shall be filed with the shipper's export declaration, or, if filed subsequently, it shall be filed within 3 years after exportation and shall state the number, if any, and date of the shipper's export declaration. One shipper's export declaration may cover several notices of exportation. A notice of exportation not filed in the time and manner herein specified shall not be accepted unless its acceptance is spe-

cifically authorized by the Bureau.

(3) Upon receipt of the notice of exportation, the district director shall assign a number thereto which shall be stamped or endorsed on the original and each copy of the notice. If a number has been assigned to the corresponding shipper's export declaration, the same number shall be assigned to the notice of exportation. If a shipper's export declaration covers more than one notice of exportation, each of the notices shall be assigned the same number as that assigned to the shipper's export declaration, but each notice shall be further identified by the addition of an alphabetic designation beginning with the letter "A." However, if no number has been assigned to the shipper's export declaration, each notice of exportation shall be separately numbered. On one of the copies of the notice, the district director shall certify (1) as to the exportation of the merchandise as shown by the records of his office, and (2) as to the name of the exporter as shown by the shipper's export declaration covering the merchandise. The district director shall return such copy and one uncertified copy to the person designated by the exporter, for subsequent filing with the drawback entry. Whenever the district director is unable to certify to the exportation of the merchandise covered by the notice of exportation, he shall return two copies of the notice to the exporter or to the person designated by the exporter, with a statement of the facts in the case.

(4) When drawback is to be claimed under section 313(a), (b), or (g), Tariff Act of 1930, with the use of this procedure, on an aircraft departing under its own power from the United States, or on merchandise exported by aircraft, the notice of exportation shall be filed in the manner prescribed herein at the port where the shipper's

export declaration is filed.

(5) When merchandise is laden on a vessel for transshipment at

a domestic port outside the continental United States, the notice of exportation shall be filed with the district director of Customs at the port where the merchandise was last transshipped for its foreign destination (the place where the shipper's export declaration is filed).

(6) Drawback claims on articles exported by mail must be supported by certified notices of exportation. See section 22.8 herein.

(c) Uncertified Notice of Exportation procedure.

The claimant may support the drawback entry with an uncertified notice of exportation on Customs Form 7511 for each shipment of merchandise covered by the claim. The notice of exportation shall show the name of the exporting vessel or other carrier, the number and kind of packages and their marks and numbers, the description of the merchandise and its weight (gross and net), gauge, measure, or number, and the name of the exporter. An uncertified notice of exportation shall be supported by documentary evidence of exportation, such as the bill of lading, air waybill, freight waybill, Canadian Customs manifest, cargo manifest, or certified copies thereof, issued by the exporting carrier, and any additional evidence required by Customs officers to fully establish the time and fact of exportation.

(2) Prior to filing an uncertified notice of exportation with the drawback entry, the claimant shall assign a number thereto which shall be stamped or endorsed on the original and each copy of the notice. The number assigned shall correspond to that of the supporting document, such as the bill of lading, air waybill, or cargo manifest which is filed with the notice of exportation. If the supporting document covers more than one notice of exportation, each of the notices shall be assigned the same number, but each notice shall be further identified by the addition of an alphabetic designation beginning with the letter "A." However, if no number has been assigned to the supporting document, each notice of exportation shall be separately numbered.

# (d) Exporter's Summary procedure.

- (1) A procedure consolidating claims for drawback on a periodic basis shall be available when such procedure will substantially reduce the paperwork involved. Under this procedure the drawback entry shall be supported by a chronological summary of the exports and any additional evidence required by Customs officers to fully establish the fact of exportation and shall be permitted only when complete and accurate information is available from the records of the exporterclaimant.
- (2) Application to use this procedure shall be made to the regional commissioner of Customs with whom drawback claims will be filed. Permission to use the procedure may be granted if, in the regional commissioner's discretion, he shall conclude that the circum-

stances so warrant and provided that the following conditions are met:

(i) Prior to filing the drawback claim the claimant's export volume is found sufficient to justify the proposed usage of the Exporter's Summary procedure by the regional commissioner of Customs in whose region the claims are to be filed;

(ii) A bond is furnished by the exporter-claimant in an amount determined by the district director of Customs, subject to approval of the regional commissioner, to protect the revenue against erroneous payment of drawback due to the incorrect description of (1) the exported articles, (2) the party entitled to drawback, or

(3) the facts of exportation:

(iii) For a period of 3 years from the date of payment of the drawback, evidence of exportation, that must include the identity and location of the ultimate consignee of the exported goods, shall be retained by the exporter-claimant for examination by authorized Government officials.

(3) The chronological summary of the exports shall be in a format acceptable to the regional commissioner of Customs with whom drawback claims are filed and shall contain substantially the data provided for in the sample format which follows:

### CHRONOLOGICAL SUMMARY OF EXPORTS

eriod fr	om	mountaine dos	to	Mu-11		
Date of Export	Exporting Carrier	Freight or Air Waybill, Bill of Lading, Manifest No., etc. (*)	Marks & Numbers	Descrip- tion	Net Quantity	Schedule "B" Number
(1)	(2)	(3)	(4)	(5)	(6)	(7)
					140	1/17

<sup>(\*)</sup> This number is to be used to associate the claim with exportation evidence retained by claimant.

Section 22.8 is amended to read:

§ 22.8 Notice of exportation; mail shipments.—(a) Procedure. If the merchandise on which drawback is to be claimed is to be exported by mail or parcel post, the notice of exportation shall be filed in triplicate with the postmaster at the place of mailing and the mer-

chandise shall be delivered to the postmaster at the same time and mailed under his supervision. Such notices shall be numbered by the exporter in accordance with section 22.10.

(b) Waiver of withdrawal. Each package to be exported shall have stamped or written thereon a waiver of the right to withdraw the

package from the mails, signed by the exporter.

(c) Certification. After the packages have been mailed, the post-master will execute his certificate on one of the copies of the notice of exportation and return such copy and one uncertified copy to the exporter, or to the person designated by the exporter, for subsequent filing with the drawback entry. One copy will be retained by the post-master as his record of the transaction.

Section 22.9 is amended to read:

§ 22.9 Evidence of exportation; Government shipments.—(a) Procedure. In the case of a shipment by a department, branch, or agency of the United States Government, the exportation may be established as provided by any one of the procedures set forth under section 22.7 when the drawback is to be claimed by such department, branch, or agency. The supplier of the merchandise may establish exportation under section 22.7 (b) or (c) only. No bond shall be required when the United States Government claims drawback under the provisions of section 22.7 (d).

(b) Certification. When the Certified Notice of Exportation proce-

dure (section 22.7(b)) is to be used:

(1) Three copies of the notice of exportation shall be filed by the exporter or his agent with the Government officer in charge of transportation at the port of exportation. Such notice of exportation shall be numbered by the exporter in accordance with section 22.10.

(2) The notice of exportation shall bear an endorsement in the following form, to be placed thereon by the exporter, for execution by the Government transportation officer at the port of exportation:

#### CERTIFICATION OF EXPORTATION

		the merchandise described herein was laden , for; that the
		(foreign destination— actual or code)
exporting co	onveyance de	parted from the above-named port on;
and that		was the actual shipper of the merchandise.
	(name)	
18	(date)	
		(name)
		(rank, organization, title)

(3) The Government transportation officer at the port of exportation will certify exportation on the notice of exportation, mark "Copy" on the copies and return the original and one copy to the person who presented the notice. One copy of the notice of exportation will be retained by the Government transportation officer as his record of the transaction.

Section 22.11 is amended to read:

§ 22.11 Amendment of notices of exportation.—At any time within the 3-year period prescribed for the completion of the drawback claim, any certified or uncertified notice of exportation or exporter's summary may be amended if the regional commissioner is satisfied as to the correctness of the amendment. Every application for amendment and its supporting evidence shall be in writing and submitted to the regional commissioner of Customs for the region supervising the port where the drawback entry is filed.

Section 22.13(a) is amended to read:

§ 22.13 Completion of drawback claims.—(a) A drawback entry and certificate of manufacture shall be filed within 3 years after the date the articles are exported. Such entry and certificate shall be filed on Customs Form 7575 except in cases covered by paragraph (c) or (e) of this section. If any entry and certificate is filed on Customs Form 7575, such form shall be filed in duplicate; and, if the entry is filed on Customs Form 7573, only one copy (the original) need be filed, provided that an additional copy of either form may be required by the district director of Customs if he deems such additional copy necessary for administrative use in his office. When the entry covers exports under section 22.7(b), the copy of the notice of exportation certified by the district director of Customs shall be filed with the entry. When the entry covers exports under section 22.7(c), one copy of the uncertified notice of exportation, together with the original or a certified copy of the supporting document shall be filed. The certified or uncertified notice of exportation shall show that the merchandise was shipped by the person making the drawback entry, or shall bear an endorsement of the person in whose name the merchandise was shipped, showing that the person making entry is authorized to make it and to receive the drawback. One entry may cover several shipments. With respect to exportations under the provisions of section 22.7(d), one copy of the chronological summary of exports, shall be filed with the entry. All documents necessary to the liquidation of the entry, including those issued by one Customs officer to another, shall be filed or applied for, as the case may require, within the 3-year period prescribed above, except that any required landing certificate shall be filed within the time prescribed in section 22.17(c). Claims not completed within the 3-year period prescribed above shall be treated as abandoned and no extension will be granted, unless it is established that failure to complete the claim within 3 years was occasioned by the action of a responsible Customs officer.

Section 22.17(a) is amended to read:

§ 22.17 Landing certificates.—(a) A landing certificate shall be required (1) whenever the district director of Customs at the port of exportation or at the port where the drawback entry is filed or the regional commissioner for the region where the drawback claim is liquidated shall have reason to believe that the shipment is not a bona fide exportation, (2) when the Bureau specifically directs that a landing certificate shall be produced, (3) when a landing certificate is otherwise required by law or regulation, and (4) for every aircraft which departs from the United States under its own power if drawback is claimed on the aircraft or any part thereof. Landing certificates for aircraft shall show the exact time of landing of the aircraft in the foreign country and describe the aircraft or parts thereof, on which drawback is claimed in sufficient detail to enable Customs officers to identify them with the bill of lading, air waybill, cargo manifest, or notice of exportation.

Section 22.21(a) is amended to read:

§ 22.21 To whom payable.—(a) The person named as exporter in (1) the district director's certificate on the notice of exportation, or in (2) the bill of lading, air waybill, freight waybill, Canadian Customs manifest, cargo manifest, or certified copies thereof, when other than the Certified Notice of Exportation procedure is used, shall be held to be the exporter and entitled to the drawback, unless the manufacturer or producer, on the sale or consignment of such articles, shall have reserved to himself the right to claim the drawback, in which case such manufacturer or producer may make entry for such drawback and it shall be paid to him upon the production of satisfactory evidence that such reservation was made with the knowledge and consent of the exporter.

Section 22.26(a) is amended to read:

§ 22.26 Statement of drawback due.—(a) When the drawback claim has been completed by the filing of the entry and other documents, as required by the regulations in this part and any required landing certificate has been produced, the regional commissioner of Customs shall proceed to ascertain the amount of drawback due by

reference to the certificate of manufacture and the drawback rate under which the drawback claimed is allowable.

(R.S. 251, as amended, secs. 313, 624, 46 Stat. 693, as amended, 759; 19 U.S.C. 66, 1313, 1624)

# (T.D. 72-311)

# Antidumping-Drycleaning machinery from West Germany

The Secretary of the Treasury makes public a finding of dumping with respect to drycleaning machinery from West Germany. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., November 2, 1972.

# TITLE 19-CUSTOMS DUTIES

## CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that drycleaning machinery from West Germany is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of June 30, 1972 (37 F.R. 12978, F.R. Doc. 72–10129).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on September 29, 1972, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of drycleaning machinery from West Germany that is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of October 4, 1972 (37 F.R. 20898, F.R. Doc. 72–16951).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to drycleaning machinery from West Germany. Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T. D.
Drycleaning Machinery West Germany 72–311

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

Eugene T. Rossides,
Assistant Secretary of the Treasury.

[Published in the Federal Register November 8, 1972 (37 F.R. 23715)]

(T.D. 72-312)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles in category 26/27, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 2, 1972.

There is published below the directive of October 18, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles in category 26/27, manufactured or produced in the Republic of China.

This directive was published in the Federal Register on October 21, 1972 (37 F.R. 22769), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SIGRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

October 18, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

This directive amends the directive issued to you on December 30, 1971, by the Chairman, President's Cabinet Textile Advisory Com-

mittee, concerning imports into the United States of cotton textiles and cotton textile products in certain categories produced or manufactured in the Republic of China.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 30, 1971 as amended, between the Governments of the United States and the Republic of China, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the level of restraint established in the directive of December 30, 1971 for cotton textile products in Category 26/27, produced or manufactured in the Republic of China, to 5,531,239 square yards.

The actions taken with respect to the Government of the Republic of China, and with respect to imports of cotton textiles and cotton textile products from the Republic of China, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely yours,

# STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

(T.D. 72-313)

#### Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 2, 1972.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately fol-

lowing, which has been discontinued. If the surety was different on the previous bond, the information is shown in a footnote at end of list.

Name of principal and surety	Date of bond	Date of approval	Filed with area director of customs; amount
Societe Anonyme Belge D'Exploitations de la Naviga- tion Aerienne, a/k/s Sabena Belgian World Airlines, Lake Success Business Park, 126 Community Dr., Great Neck, N.Y.; Sentry Insurance, A Mutual Co. (PB 9/10/68) D 9/9/72	Sept. 10, 1972	Oct. 26, 1972	J.F.K. Airport; \$100,000

<sup>&</sup>lt;sup>1</sup> Surety is The Travelers Indemnity Co.

The foregoing principal has not been designated as a carrier of bonded merchandise.

(232.1)

Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

(T.D. 72-314)

Countervailing duties—Sugar content of certain articles from Australia

Net amount of bounty declared for the months of June, July, and August 1972, for products of Australia subject to the countervailing duty order published in T.D. 54582. Section 16.24(f), Customs Regulations, amended

Department of the Treasury, Office of the Commissioner of Customs,  $Washington,\ D.C.$ 

#### TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

PART 16-LIQUIDATION OF DUTIES

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the months of June, July, and August 1972, of approved fruit products and other approved products containing sugar amount to Australian \$11.00, \$20.50, and \$36.90, respectively, per 2,240 pounds of sugar content.

The net amount of bounties or grants on the above-described commodities which are manufactured or produced in Australia is hereby ascertained, determined, and declared to be the rates stated above. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the net amounts of the bounty shown above shall be assessed and collected.

The table in section 16.24(f) under "Australia—Sugar content of certain articles" is amended (1) by deleting therefrom the reference to T.D. 71–276 and (2) by adding a reference to this Treasury Decision. As amended the last three lines of the table under this commodity will read:

Country	Commodity	Treasury Decision	Action
		72- 61	New rate.
	1-1-1-1	72-187	New rate.
		72-314	New rate

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624.) (644)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved October 31, 1972:

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register November 14, 1972 (37 F.R. 24107)]

(T.D. 72-315)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 1, 1972.

The following are synopses of drawback rates and amendments issued July 6 to September 12, 1972, inclusive, pursuant to sections

22.1 and 22.5, inclusive, Customs Regulations; and approvals under section 22.6, Customs Regulations.

(731.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(A) Automatic machining centers.—Manufactured under section 1313(a) by Burgmaster Div., Houdaille Industries, Inc., Buffalo, N.Y., at its factory located at Los Angeles, Calif., with the use of imported components.

Rate effective on articles manufactured and exported on and after November 3, 1971.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., August 25, 1972.

(B) Boats.—Manufactured under section 1313(a) by Windsurfing International, Inc., Santa Monica, Calif., with the use of imported teak booms, stainless steel parts, and daggerboards.

Rate effective on articles manufactured and exported on and after

July 6, 1972.

Rate issued by Regional Commissioner of Customs, Los Angeles, Calif., August 25, 1972.

(C) Cheese spread.—Manufactured under section 1313(a) by Fisher Cheese Co., Wapakoneta, Ohio, with the use of imported cheese. Rate effective on articles manufactured on and after January 5, 1971, and exported on and after February 24, 1971.

Rate issued by Regional Commissioner of Customs, Chicago, Ill.,

August 16, 1972.

(D) Computer systems and subassemblies.—T.D. 66-60-F, covering card punches, high speed printers, and print drum assemblies manufactured under section 1313(a) by Burroughs Corp., Detroit, Mich., at its Plymouth, Mich., and Pasadena, Calif., factories, with the use of imported print drums and Bull car reader punch, amended to cover computer systems and subassemblies manufactured by the company under section 1313(a) at its factory located at Piscataway, N.J., with the use of imported planes and stacks for memory units.

Amendment effective on articles manufactured on and after Sep-

tember 1, 1969, and exported on and after December 1, 1969.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 8, 1972.

(E) Cranberry sauce and cranberry puree.—Manufactured under section 1313(a) by Ocean Spray Cranberries, Inc., Hanson, Mass., at its Hanson & Onset, Mass.; Bordentown, N.J.; Markham, Wash.; and Kenosha, Wis., factories, with the use of imported liquid sugar and liquid invert refined sugar.

Rate effective on articles manufactured on and after November 1,

1971, and exported on and after June 27, 1972.

Rate issued by Regional Commissioner of Customs, Boston, Mass., August 4, 1972.

(F) Cranberry sauce and cranberry puree.—T.D. 45330-B, as amended by T.D.'s 45857-C, 54395-C, 55404-C, 70-189-O, and 72-44-H, covering, among other things, cranberry sauce and cranberry puree manufactured under section 1313(b) by Ocean Spray Cranberries, Inc., Hanson, Mass., with the use of fresh or frozen cranberries, further amended to cover the said articles manufactured at an additional factory located at Kenosha, Wis.

Amendment effective on articles manufactured on and after No-

vember 1, 1971, and exported on and after June 27, 1972.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., August 7, 1972.

(G) 80% Diuron Wettable Powder Weed Killer (3-(3,4-Dichlorophenyl)-1,1-Dimethylurea).—Manufactured under section 1313(a) by Allied Chemical Corp., Agricultural Div., Morristown, N.J., at its factory located at Baltimore, Md., with the use of imported 98% Diuron Technical (3-(3,4-Dichlorophenyl)-1, 1-Dimethylurea).

Rate effective on articles manufactured on and after March 15,

1972, and exported on and after March 25, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., July 20, 1972.

(H) Electric clutches, electric brakes and assemblies thereof.— Manufactured under section 1313(a) by Warner Electric Brake and Clutch Co., South Beloit, Ill., at its factory located near Roscoe, Ill., with the use of imported ball bearings.

Rate effective on articles manufactured on and after July 15, 1970,

and exported on and after August 7, 1970.

Rate issued by Regional Commissioner of Customs, Chicago, Ill., July 14, 1972.

(I) Keychains and neckchains, plated.—Manufactured under section 1313(a) by E. A. Adams & Son, Inc., Pawtucket, R.I., with the use of imported unplated keychains and neckchains.

Rate effective on articles manufactured on and after February 18, 1972, and exported on and after February 21, 1972.

Rate issued by Regional Commissioner of Customs, Boston, Mass., August 17, 1972.

(J) Leather, pigment colored and surface textured.—Manufactured under section 1313(a) by Crescent Leather Finishing Co., Inc., Johnstown, N.Y., with the use of imported hides.

Rate effective on articles manufactured on and after January 1, 1972,

and exported on and after March 10, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., August 9, 1972.

(K) Mercury products.—T.D. 51405–C, as amended by T.D.'s 51795–A and 55241–J, covering the foregoing articles manufactured under section 1313 (a) and (b) by Wood Ridge Chemical Corp., Wood Ridge, N.J., with the use of quicksilver, further amended to cover the said articles manufactured by Ventron Corp., Beverly, Mass., successor at its Wood Ridge, N.J., factory.

Amendment effective on articles exported on and after July 1, 1971. Amendment issued by Regional Commissioner of Customs, New York, N.Y., August 8, 1972.

(L) Nylon 11, nylon 12, in pellet form and colored powders.— Manufactured under section 1313(a) by Rilsan Corp., Glen Rock, N.J., at its factory located at Exeter Township, Pa., with the use of imported monomer 11, (amino undercanoic acid), monomer 12 (lauryllactame), plasticizer (plastamoll BMB), and natural powders (nylon 11 in powder form).

Rate effective on articles manufactured on and after December 29, 1971, and exported on and after March 15, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., August 29, 1972.

(M) Orcoacid Alizarine Blue 4 GL.—T.D. 55580–Z, as amended by T.D. 72–125–N, covering, among other things, Nerosol Black R.F. manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported dyes of coal tar derivatives, further amended to cover Orcoacid Alizarine Blue 4 GL manufactured under section 1313(a) with the use of imported Diacid Alizarine Blue 4 GL 200% (Acid Blue 23).

Amendment effective on articles manufactured on and after May 15, 1972, and exported on and after June 1, 1972.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., July 6, 1972.

(N) Orco Milling Brilliant Violet BL.—T.D. 55580-Z, as amended by T.D. 72-125-N, covering, among other things, Nerosol Black R.F. manufactured under section 1313(a) by Organic Chemical Corp., East Providence, R.I., with the use of imported dyes of coal tar derivatives, amended to cover Orco Milling Brilliant Violet BL manufactured under section 1313(a) with the use of imported Kayanol Milling Violet FBW (Acid Violet 48).

Amendment effective on articles manufactured on and after April 27,

1972, and exported on and after April 29, 1972.

Amendment issued by Regional Commissioner of Customs, Boston, Mass., July 6, 1972.

(O) Plywood wall paneling, prefinished.—Manufactured under section 1313 (a) by American Wood Finishing Systems, Inc., Los Altos, Calif., at its factory located at Camden, N.J., with the use of imported raw plywood.

Rate effective on articles manufactured and exported on and after March 24, 1972.

Rate issued by Regional Commissioner of Customs, New York, N.Y., August 9, 1972.

(P) Projectors and viewers.—T.D. 70-109-O, covering overhead projectors manufactured under section 1313 (a) by Buhl Projector Co., Inc., Farmingdale, N.Y., with the use of imported lenses, amended to cover other projectors and viewers manufactured by the said company at its above named factory with the use of additional imported lenses and imported component parts of projectors and viewers.

Amendment effective on articles manufactured and exported on and

after June 12, 1969.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., July 20, 1972.

(Q) Swimming pools and table tennis tables.—Manufactured under section 1313 (a) by Coleco Industries, Inc., Gloversfield and Mayfield, N.Y., with the use of imported prepainted steel coil and prepainted steel sheet.

Rate effective on articles manufactured on and after February 12, 1971, and exported on and after February 15, 1971.

Rate issued by Regional Commissioner of Customs, Boston, Mass., August 3, 1972.

(R) Toys, educational and musical.—T.D. 69-144-U, covering educational and musical toys manufactured under section 1313(a) by Fisher-Price Toys, Inc., East Aurora, N.Y., with the use of imported music box movements, chime units, noise voice units, and plastic toy

parts, further amended to cover (1) the foregoing articles manufactured by Fisher-Price Toys, Div. of The Quaker Oats Co., East Aurora, N.Y., successor at its East Aurora, N.Y., factory; (2) the foregoing articles manufactured at additional factories located at Holland, N.Y., and Median, N.Y.; and, (3) additional educational toys (puzzles) manufactured under section 1313(a) by the successor company at its various factories, with the use of imported unfinished wooden puzzles.

Amendment effective on articles covered by amendment (1), above, which are exported on and after May 12, 1972, the date of succession, and on articles covered by amendments (2) and (3), above, which are manufactured on and after June 15, 1972, and exported on and after

June 30, 1972.

Amendment issued by Regional Commissioner of Customs, New York, N.Y., September 12, 1972.

#### Approvals under section 22.6, Customs Regulations

(1) Bags, cotton and burlap.—Manufactured under section 1313 (a) by Pioneer Container Corp., North Kansas City, Mo., with the use of imported cotton and burlap cloth.

Approval effective on articles manufactured and exported on and

after August 9, 1972.

Approval issued by Regional Commissioner of Customs, New Orleans, La., September 6, 1972.

(2) Piece goods, dyed and finished.—Manufactured under section 1313(a) by Nu-Southern Dyeing and Finishing, Inc., Henderson, N.C., with the use of imported or drawback greige woven piece goods.

Approval effective on articles manufactured and exported on and after April 3, 1972.

Manufacturer's statement of May 2, 1972, approved by Regional Commissioner of Customs, New York, N.Y., August 15, 1972.

(3) Piece goods, printed or dyed and printed.—T.D. 52325–J, as amended by T.D. 55502–E, covering dyed piece goods manufactured under section 1313 (a) by The Amerbelle Corp., Rockville, Conn., with the use of imported or drawback piece goods in the greige, further amended to cover printed or dyed and printed piece goods manufactured by the company under section 1313 (a) with the use of imported or drawback piece goods in the greige.

Approval effective on articles manufactured and exported on and

after March 28, 1972.

Manufacturer's supplemental statement of April 17, 1972, approved by Regional Commissioner of Customs, New York, N.Y., August 10, 1972.

# (T.D. 72-316)

# Cotton textiles-Restriction on entry

Restriction on entry of cotton textile products in category 49, manufactured or produced in the Socialist Federal Republic of Yugoslavia

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., November 9, 1972.

There is published below the directive of November 1, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textile products in category 49, manufactured or produced in the Socialist Federal Republic of Yugoslavia.

This directive was published in the Federal Register on November 2, 1972 (37 F.R. 23375), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

#### THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

November 1, 1972.

Commissioner of Customs
Department of the Treasury
Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On December 13, 1971 the Chairman, President's Cabinet Textile Advisory Committee, directed you to prohibit entry during the twelve-month period beginning January 1, 1972 of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Socialist Federal Republic of Yugoslavia, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.

<sup>&</sup>lt;sup>1</sup> The term "adjustment" refers to those provisions of the bilateral cotton textile agreement of December 31, 1970 between the Governments of the United States and the Socialist Federal Republic of Yugoslavia which provide in part that within the aggregate and applicable group limits. limits on certain categories may be exceeded by not more than five (5) percent; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraphs 5 and 15 of the bilateral cotton textile agreement of December 31, 1970 between the Governments of the United States and the Socialist Federal Republic of Yugoslavia, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the level of restraint established in the aforesaid directive of December 13, 1971 for cotton textile products in Category 49 to 31,924 dozen for the twelve-month period beginning January 1, 1972.

The actions taken with respect to the Government of the Socialist Federal Republic of Yugoslavia and with respect to imports of cotton textiles and cotton textile products from the Socialist Federal Republic of Yugoslavia have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal

Register.

Sincerely yours,

STANLEY NEHMER. Chairman, Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary and Director, Bureau of Resources and Trade Assistance

(T.D. 72–317)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., November 7, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free
October 2, 1972		\$0.176834*
October 3, 1972	. 1750	. 177069*
October 4, 1972	. 1765	. 177147*
October 5, 1972	. 1765	. 176912*
October 6, 1972	. 1750	. 176912*
Iran rial:		
October 23, 1972		Holiday
October 24, 1972		
October 25, 1972		. 0128
October 26, 1972		. 0128
October 27, 1972		. 0129
Philippine peso:		
October 23, 1972		Holiday
For the period October	r 24 through Octol	ber 27, 1972,
rate of \$0.1460.		
Singapore dollar:		
July 5, 1972		\$0.360500
July 6, 1972		
July 7, 1972		. 360500
July 10, 1972		. 360500
July 11, 1972		. 360500
July 12, 1972	,	. 359000
July 13, 1972		. 358750
July 14, 1972		. 358000
July 17, 1972		. 359250
July 18, 1972		. 359500
July 19, 1972		. 359750
July 20, 1972		. 359500
July 24, 1972		. 359500
July 27, 1972		. 359500
July 28, 1972		. 359500
July 31, 1972		. 360000
August 1, 1972		. 359500
August 3, 1972		
August 7, 1972		. 360250
August 8, 1972		
August 9, 1972		

<sup>\*</sup>Certified as nominal.

Singapore dollar—Continued	
August 10, 1972	. 360750
August 11, 1972	. 361000
August 14, 1972	. 361500
August 15, 1972	. 360750
August 16, 1972	. 361000
August 17, 1972	. 360750
August 18, 1972	. 361250
August 21, 1972	. 361000
August 22, 1972	.361250
August 23, 1972	. 360250
August 24, 1972	. 360250
August 25, 1972	. 360750
August 28, 1972	. 360250
August 29, 1972	. 360250
August 30, 1972	
August 31, 1972	. 361000
September 1, 1972	. 360500
September 7, 1972	. 361250
September 8, 1972	. 361200
September 11, 1972	
September 13, 1972	. 361000
September 14, 1972	. 361200
September 15, 1972	
September 18, 1972	. 361250
September 19, 1972	. 361000
September 20, 1972	. 360750
September 21, 1972	. 361000
September 22, 1972	. 360750
September 25, 1972	. 360500
September 26, 1972	.360250
September 27, 1972	. 360750
September 28, 1972	. 360750
September 29, 1972	. 360750
October 2, 1972	. 360750
October 3, 1972	
October 4, 1972	. 360650
October 5, 1972	. 360900
October 6, 1972	.360750
October 10, 1972	
October 11, 1972	
October 12, 1972	
October 13, 1972	. 360750

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Singapore dollar—Continued	1071
October 16, 1972	. 360750
October 17, 1972	. 360750
October 18, 1972	. 360750
October 19, 1972	. 359750
October 20, 1972	
October 24, 1972	. 360750
October 25, 1972	
October 26, 1972	
October 27, 1972	. 3615
Thailand baht (tical):	
October 23, 1972	Holiday
For the period October 24 through Octol rate of \$0.0478.	oer 27, 1972

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

## (T.D. 72-318)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 14, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official		Free
October 9, 1972		Holiday	
October 10, 1972	\$0.1745		\$0.176834*
October 11, 1972	. 1745		. 176834*
October 12, 1972	. 1745		. 176991*
October 13, 1972	. 1750		. 176991*

<sup>\*</sup>Certified as nominal.

(342.211)

Iran rial:	
October 30, 1972	\$0.0128
October 31, 1972	. 0129
November 1, 1972	. 0130
November 2, 1972	.0131
November 3, 1972	
Philippine peso:	
For the period October 30 through Nove 1972, rate of \$0.1460.	ember 3,
Singapore dollar:	
October 30, 1972	\$0.3615
October 31, 1972	. 3615
November 1, 1972	
November 2, 1972	
November 3, 1972	. 3615
Thailand baht (tical):	
October 30, 1972	\$0.0478
October 31, 1972	. 0479
November 1, 1972	
November 2, 1972	
November 3, 1972	
(342.211)	

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

# (T.D. 72-319)

Cotton textiles—Restriction on entry

Restriction on entry of cotton textiles, in category 22, manufactured or produced in Ghana

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., November 17, 1972.

There is published below the directive of November 10, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of cotton textiles, in category 22, manufactured or produced in Ghana.

This directive was published in the Federal Register on November 14, 1972 (37 F.R. 24132), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

November 10, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the twelve-month period beginning September 13, 1972 and extending through September 12, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 22, produced or manufactured in Ghana, in excess of a level of restraint for the period of 440,000 square yards.

Entries of cotton textile products in Category 22, produced or manufactured in Ghana and which have been exported to the United States from Ghana prior to September 13, 1972, shall not be subject to this directive.

Cotton textile products in Category 22 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448 (b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 22 in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

<sup>&</sup>lt;sup>1</sup>This level has not been adjusted to reflect any entries made on or after September 13, 1972.

The actions taken with respect to the Government of Ghana and with respect to imports of cotton textile products from Ghana have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Stanley Nehmer,
Chairman, Committee for the Implementation
of Textile Agreements, and
Deputy Assistant Secretary and
Director, Bureau of Resources and
Trade Assistance

(T.D. 72-320)

Treasury Department Order No. 165-19, Amendment 2

Changes in designation of certain divisions in the Bureau of Customs

DEPARTMENT OF THE TREASURY, Washington, D.C., November 15, 1972.

By virtue of the authority vested in the Secretary of the Treasury, and pursuant to authorization given to me by Treasury Department Order No. 190, (Revision 8) (September 1, 1972) 37 F.R. 18572 (1972), the following changes are hereby made in the designations of divisions in the Bureau of Customs:

The designation of the Division of Technical Services is changed to Technical Services Division.

The designation of the Division of Appraisement and Collections is changed to Appraisement and Collections Division.

The designation of the Division of Inspection and Control is changed to Inspection and Control Division.

The designation of the Division of Classification and Value is changed to Classification and Value Division.

The designation of the Division of Entry Procedures and Penalties is changed to Entry Procedures and Penalties Division.

The designation of the Division of Carriers, Drawback and Bonds is changed to Carriers, Drawback and Bonds Division.

The designation of the Division of Regulations is changed to Regulations Division.

Treasury Department Order No. 165-19 dated December 29, 1965, (T.D. 66-3, 31 F.R. 228), as amended by T.D. 72-41 (37 F.R. 1496), is hereby amended to the extent that it is inconsistent with the foregoing.

This order shall take effect upon October 1, 1972.

(014.1)

EUGENE T. Rossides,

Assistant Secretary of the Treasury.

[Published in the Federal Register November 25, 1972 (37 F.R. 25060)]

(T.D. 72-321)

Customs Delegation Order No. 1 (Revision 1) amended

Performance of functions in the Bureau of Customs

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 15, 1972.

- 1. By virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 F.R. 7214), as amended, Customs Delegation Order No. 1 (Revision 1) (T.D. 69–126, 34 F.R. 8208), is hereby amended as follows:
- A. Paragraph 1.A is amended by substituting "Classification and Value Division" for "Division of Classification and Value", by substituting "Entry Procedures and Penalties Division" for "Division of Entry Procedures and Penalties", and by substituting "Carriers, Drawback and Bonds Division" for "Division of Carriers, Drawback and Bonds", wherever they appear.

B. Paragraph 1.B is amended by substituting "Inspection and Control Division" for "Division of Inspection and Control" and by substituting "Appraisement and Collections Division" for "Division of Appraisement and Collections" wherever they appear.

2. This order shall take effect upon October 1, 1972. (014.1)

EDWIN F. RAINS,
Acting Commissioner of Customs.

[Published in the Federal Register November 25, 1972 (37 F.R. 25060)]

### (T.D. 72-322)

# Antidumping-Bioycle speedometers from Japan

The Secretary of the Treasury makes public a finding of dumping with respect to bicycle speedometers from Japan. Section 153.43, Customs Regulations, amended

DEPARTMENT OF THE TREASURY, Washington, D.C., November 17, 1972.

#### TITLE 19-CUSTOMS DUTIES

#### CHAPTER I-BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that bicycle speedometers from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the Federal Register of June 24, 1972 (37 F.R. 12912, F.R. Doc. 72–9565).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on September 22, 1972, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of bicycle speedometers from Japan sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the Federal Register of September 28, 1972 (37 F.R. 20288, F.R. Doc. 72–16526).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to bicycle speedometers from Japan.

Section 153.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise Country T.D.
Bicycle Speedometers Japan 72–322

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173.) (643.3)

EUGENE T. Rossides, Assistant Secretary of the Treasury.

[Published in the Federal Register November 22, 1972 (37 F.R. 24826)]

# (T.D. 72-323)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., November 20, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official	Free
October 16, 1972	_ \$0. 1745	No rate
October 17, 1972	. 1745	\$0.177187*
October 18, 1972	1760	. 177304*
October 19, 1972	1775	. 177462*
October 20, 1972	1750	. 178015*
Iran rial:		
November 6, 1972		\$0.0131
November 7, 1972		
November 8, 1972		
November 9, 1972		
November 10, 1972		
Philippine peso:		
November 6, 1972		\$0.1460
November 7, 1972		Holiday
November 8, 1972		\$0.1460
November 9, 1972		.1460
November 10, 1972		
Singapore dollar:		
November 6, 1972		\$0.3615
November 7, 1972		
November 8, 1972		
November 9, 1972		
November 10, 1972		

<sup>\*</sup>Certified as nominal

Thailand baht (tical):

 November 6, 1972
 \$0.0479

 November 7, 1972
 Holiday

 November 8, 1972
 \$0.0478

 November 9, 1972
 0478

 November 10, 1972
 0478

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

(T.D. 72-324)

Wool fiber textiles—Restriction on entry

Restriction on entry of wool fiber textile products in certain categories, manufactured or produced in the Republic of China

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 21, 1972.

There is published below the directive of November 14, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the restriction on entry into the United States of wool fiber textile products in certain categories manufactured or produced in the Republic of China.

This directive was published in the Federal Register on November 15, 1972 (37 F.R. 24212), by the Committee.

(343.3)

R. N. MARRA,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

November 14, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20326

DEAR MR. COMMISSIONER:

Under the provisions of the bilateral Wool and Man-Made Fiber Textile Agreement of December 30, 1971, between the Governments of the United States and the Republic of China and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the period extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products produced or manufactured in the Republic of China and exported to the United States on or after October 1, 1972, in excess of the following group levels of restraint:

Categories 111–125 101–110 and 126–132 Twelve-Month Levels of Restraint <sup>1</sup> 4,390,500 square yards equivalent 414,000 square yards equivalent

Inasmuch as the group levels of restraint applicable to the above wool textile products, produced or manufactured in the Republic of China and exported to the United States during the agreement year beginning October 1, 1971 and extending through September 30, 1972, have been exhausted by previous entries, such goods entered on or after the effective date of this directive shall be subject to the levels contained in this letter.

Wool textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the wool textile categories in terms of T.S.U.S.A. numbers and conversion factors was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out this directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of China and with respect to imports of wool textile products from the Republic of China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary and Director, Bureau of Resources and Trade Assistance

<sup>&</sup>lt;sup>1</sup> These levels of restraint have not been adjusted to reflect any entries made on or after October 1, 1972.

### (T.D. 72-325)

Reimbursable services-Excess cost of preclearance operations

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 22, 1972.

Notice is hereby given that pursuant to section 24.18(d), Customs Regulations (19 CFR 24.18(d)), the bi-weekly reimbursable excess costs for each preclearance installation are determined to be as set forth below and will be effective with the pay period beginning November 26, 1972.

	Bi-weekly
Installation	excess cost
Montreal, Canada	\$4,368.00
Toronto, Canada	6, 931. 00
Kindley Field, Bermuda	2,044.00
Nassau, Bahama Islands	3, 365. 00
Vancouver, Canada	990.00
Winnipeg, Canada	169.00

(140.57)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register November 29, 1972 (37 F.R. 25245)]

#### (T.D. 72-326)

Foreign currencies—Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupee

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., November 14, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72–285 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes

to convert such currency into currency of the United States, conversion shall be at the following daily rates:

# Ceylon rupee:

November	8, 1972	\$0.1480
*November	9, 1972	. 1560
	10, 1972	

\*Rate did not vary by 5 per centum or more from the rate of exchange published in T.D. 72–285 for use during calendar quarter beginning October 1 through December 31, 1972.

Rates of exchange certified for the Ceylon rupee which vary by 5 per centum or more from the rate \$0.1560 during the balance of the calendar quarter ending December 31, 1972, will be published in a Treasury Decision for dates subsequent to November 10, 1972, and before January 1, 1973.

(342.211)

R. N. MARRA,

Acting Assistant Commissioner,

Office of Operations.

[Published in the Federal Register November 30, 1972 (37 F.R. 25418)]

(T.D. 72-327)

Lightweight Luggage

Exclusion from entry

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

Treasury Decision 72-5, published on December 28, 1971 (36 F.R. 25053), gave notice of a restriction under section 337(f), Tariff Act of 1930 (19 U.S.C. 1337(f)), on the importation of certain lightweight luggage described fully therein, imposed pursuant to the temporary exclusion order of the President dated December 13, 1971, due to the existence of unfair methods of competition and unfair acts in the importation and sale of such luggage.

There is hereby published for direction and guidance of Customs officers and others concerned the following superseding order of the President, issued to the Secretary of the Treasury on October 31, 1972, directing that the Secretary forbid the unlicensed entry into the United

States of lightweight luggage made in accordance with registered patent claims:

Atlantic Products Corp., Trenton, New Jersey, made a complaint requesting relief under section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), from alleged unfair methods of competition and unfair acts in the importation and domestic sale of lightweight luggage which is made in accordance with the claims of U.S. Patent Nos. 3,298,480 and Re. 26,443 (Tariff Commission Investigation No. 337–28).

Upon the facts submitted to me by the United States Tariff Commission (T.C. Publication 463), I have found that the said articles are offered or sought to be offered for entry into the

United States in violation of said section 337.

Therefore, I request that, except where the importation is made under license of the registered owner of said patent, you forbid the entry into the United States of lightweight luggage which is made in accordance with the claims of U.S. Patent Nos. 3,298,480 and Re. 26,443, until such time as I may find that the conditions which led to such refusal of entry no longer exist or until the date of expiration of said patents, whichever occurs first.

U.S. Patent No. 3,298,480 expires on January 16, 1984. U.S. Patent No. Re. 26,443 expires on August 15, 1983. Articles of lightweight luggage of the kind protected by the patents are generally classified under item 706.60, Tariff Schedules of the United States. Other background information is provided in United States Tariff Commission Publica-

tion 463, February 1972.

Entry into the United States of lightweight luggage prohibited importation by the President's order of October 31, 1972, shall be refused pursuant to section 337(e), Tariff Act of 1930, and section 12.39(c), Customs Regulations (19 CFR 12.39 (c)). Importations refused entry may be permitted to be exported in accordance with provisions of sections 8.49, 18.25, and 18.26 of the Customs Regulations (19 CFR 8.49, 18.25, 18.26). Excepted importations entitled to entry into the United States under license of the registered patent owner shall require the presentation with Customs entry of appropriate evidence thereof.

Articles of lightweight luggage prohibited importation by the President's order of October 31, 1972, which have been released under special bond pursuant to section 337(f), supra, and T.D. 72-5 are to be exported or destroyed under Customs supervision, upon Customs notification to each importer concerned in accordance with section 12.39(c) of the Customs Regulations (19 CFR 12.39(c)). However, entry of the merchandise is permitted if the import transaction is licensed by the registered patent owner and evidence of such license is presented to the principal Customs officer at the port of release under special bond. Special bonds taken shall be cancelled and, in cases of verified exportation or destruction of the lightweight luggage, any

duties that have been paid under a consumption entry that is not finally liquidated may be refunded, in accordance with section 8.49(b) of the Customs Regulations (19 CFR 8.49(b)).

Unless prohibited lightweight luggage entered and released under special bond is exported or destroyed under Customs supervision, or its entry duly licensed, within 30 days after notice is given the importer concerned, demand shall be made upon the principal and surety for payment of the amount of the penalty specified in the special bond.

Effective date. This notice shall be effective upon publication in the Federal Register.

(641)

VERNON D. ACREE, Commissioner of Customs.

Approved November 17, 1972: EUGENE T. Rossides, Assistant Secretary of the Treasury.

[Published in the Federal Register November 30, 1972 (37 F.R. 25419)]

(T.D. 72-328)

Vessels in foreign and domestic trade

The Federal Water Pollution Control Act Amendments of 1972, and its applicability to vessels engaged in foreign and domestic trades

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 24, 1972.

Pertinent provisions of Public Law 91–224, approved April 3, 1970, entitled "An Act to amend the Federal Water Pollution Control Act, as amended, and for other purposes," were set forth in Treasury Decision 70–136. The Federal Water Pollution Control Act was further amended by Public Law 92–500, approved October 18, 1972. Section 311(p) of the new Act, amending section 11(p) of the Federal Water Pollution Control Act (33 U.S.C. 1161(p)), is set forth below.

Appropriate amendments to the regulation will be issued in the near future.

(011)

Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings. T.D. 72-3281 676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Water Pollution Control Act Amendments of 1972".

SEC. 2. The Federal Water Pollution Control Act is amended to read

as follows:

#### "TITLE I—RESEARCH AND RELATED PROGRAMS

"(p) (1) Any vessel over three hundred gross tons, including any barge of equivalent size, but not including any barge that is not selfpropelled and that does not carry oil or hazardous substances as cargo or fuel, using any port or place in the United States or the navigable waters of the United States for any purpose shall establish and maintain under regulations to be prescribed from time to time by the President, evidence of financial responsibility of \$100 per gross ton, or \$14,000,000 whichever is the lesser, to meet the liability to the United States which such vessel could be subjected under this section. In cases where an owner or operator owns, operates, or charters more than one such vessel, financial responsibility need only be established to meet the maximum liability to which the largest of such vessels could be subjected. Financial responsibility may be established by any one of, or a combination of, the following methods acceptable to the President: (A) evidence of insurance, (B) surety bonds, (C) qualification as a self-insurer, or (D) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States.

"(2) The provisions of paragraph (1) of this subsection shall be effective April 3, 1971, with respect to oil and one year after the date of enactment of this section with respect to hazardous substances. The President shall delegate the responsibility to carry out the provisions of this subsection to the appropriate agency head within sixty days after the date of enactment of this section. Regulations necessary to implement this subsection shall be issued within six months after the

date of enactment of this section.

"(3) Any claim for costs incurred by such vessel may be brought directly against the insurer or any other person providing evidence of financial responsibility as required under this subsection. In the case of any action pursuant to this subsection such insurer or other person shall be entitled to invoke all rights and defenses which would have been available to the owner or operator if an action had been brought against him by the claimant, and which would have been available to him if an action had been brought against him by the owner or operator.

"(4) Any owner or operator of a vessel subject to this subsection, who fails to comply with the provisions of this subsection or any regulation issued thereunder, shall be subject to a fine of not more than

\$10,000.

"(5) The Secretary of the Treasury may refuse the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), to any vessel subject to this subsection, which does not have evidence furnished by the President that the financial responsibility provisions of paragraph (1) of this subsection have been complied with.

"(6) The Secretary of the Department in which the Coast Guard is operated may (A) deny entry to any port or place in the United States or the navigable waters of the United States, to, and (B) detain at the port or place in the United States from which it is about to depart for any other port or place in the United States, any vessel subject to this subsection, which upon request, does not produce evidence furnished by the President that the financial responsibility provisions of paragraph (1) of this subsection have been complied with.

(T.D. 72-329)

#### Ronds

Approval of consolidated aircraft bond (air carrier blanket bond) Customs Form 7605

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 27, 1972.

The following consolidated aircraft bond has been approved as follows:

Name of principal and surety	Date of bond	Date of approval	Filed with district director of customs; amount
Delta Air Lines, Inc., Atlanta Airport, Atlanta, Ga.; Federal Ins. Co.	Oct. 1,1972	Nov. 6, 1972	Savannah, Ga.; \$100,000

Principal has been designated as a carrier of bonded merchandise. (232.1)

Leonard Lehman,
Assistant Commissioner,
Office of Regulations and Rulings.

(T.D. 72-330)

Foreign currencies—Rates of exchange

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Ceylon rupee

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., November 22, 1972.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified

the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 72–285 for the Ceylon rupee. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Ceylon rupee:

November	13,	1972	\$0.1475
November	14,	1972	. 1480
		1972	
November	16,	1972	. 1480
		1972	. 1560

\*Rate did not vary by 5 per centum or more from the rate of exchange published in T.D. 72-285 for use during calendar quarter beginning October 1 through December 31, 1972.

Rates of exchanges certified for the Ceylon rupee which vary by 5 per centum or more from the rate \$0.1560 during the balance of the calendar quarter ending December 31, 1972, will be published in a Treasury Decision for dates subsequent to November 17, 1972, and before January 1, 1973.

(342.211)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

[Published in the Federal Register December 5, 1972 (37 F.R. 25859)]

(T.D. 72-331)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., November 28, 1972.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong	dollar:	Official	Free
October	23, 1972	Holiday	
October	24, 1972		\$0.178015*
October	25, 1972	. 1760	.178015*
October	26, 1972	. 1770	.177777*
October	27. 1972	. 1760	. 177069*

#### Iran rial:

For the period November 13 through November 17, 1972, rate of \$0.0128.

### Philippine peso:

For the period November 13 through November 17, 1972, rate of \$0.1460.

#### Singapore dollar:

November	13,	1972	\$0.3610
November	14,	1972	. 3610
November	15,	1972	. 3615
		1972	
November	17.	1972	. 3615

#### Thailand baht (tical):

	1	,	
November	13,	1972	\$0.0478
November	14,	1972	. 0478
November	15,	1972	.0478
November	16,	1972	. 0478
November	17,	1972	. 0479
(342,211)			

G. R. Dickerson, Assistant Commissioner Office of Operations.

(T.D. 72-332)

#### Bonded Carriers

Approval and discontinuance of carrier bonds, Customs Form 3587

Department of the Treasury,
Office of the Commissioner of Customs,
Washington, D.C., November 29, 1972.

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D"

<sup>\*</sup>Certified as nominal

indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at end of list.

Date of bond	Date of approval	Filed with district director/area director; amount
Sept. 20, 1972	Sept. 28, 1972	San Francisco, Calif.; \$25.000
Nov. 13, 1952	Nov. 18, 1952	Detroit, Mich.; \$10,000
Mar. 30, 1972	Mar. 30, 1972	Boston, Mass.; \$25,000
June 9, 1969	June 27, 1969	Detroit, Mich.; \$25,000
May 25, 1962	May 17, 1963	Detroit, Mich.; \$10,000
Aug. 9, 1972	Nov. 10, 1972	Detroit, Mich.; \$50,000
Aug. 15, 1972	Oct. 20, 1972	Chicago, Ill.; \$25,000
Feb. 15, 1972	Nov. 17, 1972	Detroit, Mich.; \$50,000
Aug. 1, 1972	Nov. 8, 1972	Detroit, Mich.; \$50,000
July 29, 1971	Oct. 30, 1971	Los Angeles, Calif.; \$25,000
Apr. 8, 1957	Apr. 9, 1957	Detroit, Mich.; \$30,000
Mar. 28, 1957	Apr. 2, 1957	Detroit, Mich.; \$10,000
Sept. 30, 1971	Nov. 19, 1971	Detroit, Mich.; \$25,000
June 26, 1972	Oct. 25, 1972	Norfolk, Va.; \$25,000
	Sept. 20, 1972  Nov. 13, 1962  Mar. 30, 1972  June 9, 1969  May 25, 1962  Aug. 9, 1972  Aug. 15, 1972  Feb. 15, 1972  July 29, 1971  Apr. 8, 1957  Mar. 28, 1957  Sept. 30, 1971	Date of bond approval  Sept. 20, 1972 Sept. 28, 1972  Nov. 13, 1962 Nov. 18, 1982  Mar. 30, 1972 Mar. 30, 1972  June 9, 1969 June 27, 1969  May 25, 1962 May 17, 1963  Aug. 9, 1972 Nov. 10, 1972  Aug. 15, 1972 Oct. 20, 1972  Feb. 15, 1972 Nov. 17, 1972  Aug. 1, 1972 Nov. 17, 1972  July 29, 1971 Oct. 30, 1971  Apr. 8, 1957 Apr. 9, 1957  Mar. 28, 1957 Apr. 2, 1957  Sept. 30, 1971 Nov. 19, 1971

See footnotes at end of table.

Date of bond	Date of approval	Filed with district director/area director; amount
Oct. 18, 1972	Oct. 30, 1972	Tampa, Fla.; \$30,000
Oct. 16, 1959	Oct. 19, 1959	Detroit, Mich.; \$10,000
Oct. 20, 1972	Nov. 6, 1972	Houston, Tex.; \$25,000
July 20, 1972	Oct. 31, 1972	Seattle, Wash.; \$25,000
Apr. 20, 1971	May 14, 1971	Detroit, Mich.; \$25,000
Jan. 17, 1958	Feb. 3, 1958	Detroit, Mich.; \$10,000
Dec. 19, 1968	Jan. 17, 1969	Penbina, N.D.; \$25,000
May 26, 1972	July 31, 1972	Buffalo, N.Y.; \$25,000
May 12, 1952	Aug. 4, 1952	Detroit, Mich.; \$10,000
June 10, 1968	Nov. 13, 1968	Detroit, Mich.; \$25,000
Nov. 1, 1972	Nov. 9, 1972	Seattle, Wash.; \$25,000 Cleveland, Ohio;
Dec. 7, 1958	Dec. 7, 1958	\$50,000 Detroit, Mich.; \$25,000
Sept. 20, 1972	Nov. 2, 1972	Miami, Fla.; \$25,000
Feb. 25, 1969	Apr. 29, 1969	Detroit, Mich.; \$25,000
Oct. 31, 1972	Oct. 31, 1972	Boston, Mass.; \$25,000
Sept. 21, 1972	Nov. 8, 1972	St. Albans, Vt.; \$50,000
July 1, 1972	Nov. 6, 1972	Detroit, Mich.; \$50,000
	Oct. 18, 1972 Oct. 16, 1959 Oct. 20, 1972 July 20, 1972 Apr. 20, 1973 Jan. 17, 1958 Dec. 19, 1968 May 26, 1972 May 12, 1982 June 10, 1988 Nov. 1, 1972 June 30, 1972 Dec. 7, 1958 Sept. 20, 1972 Feb. 25, 1969 Oct. 31, 1972 Sept. 21, 1972	Date of bond approval  Oct. 18, 1972 Oct. 30, 1972  Oct. 16, 1959 Oct. 19, 1959  Oct. 20, 1972 Nov. 6, 1972  July 20, 1972 Oct. 31, 1972  Apr. 20, 1971 May 14, 1971  Jan. 17, 1988 Feb. 3, 1988  Dec. 19, 1968 Jan. 17, 1969  May 26, 1972 July 31, 1972  May 12, 1982 Aug. 4, 1952  June 10, 1988 Nov. 13, 1988  Nov. 1, 1972 Nov. 9, 1972  June 30, 1972 Nov. 10, 1972  Dec. 7, 1988 Dec. 7, 1988  Sept. 20, 1972 Nov. 2, 1972  Feb. 25, 1969 Apr. 29, 1969  Oct. 31, 1972 Oct. 31, 1972  Sept. 21, 1972 Nov. 8, 1972

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director; amount
Reimer Express Lines Ltd., 1400 Inkster Blvd., Winnipeg, Manitoba, Canada, motor carrier; The Continental Ins. Co. (PB 4-15-69) D 12-3-72	Feb. 15, 1972	Nov. 17, 1972	Detroit, Mich.; \$50,000
Shippers Dispatch, Inc., 1216 W. Sample St., South Bend, Ind., motor carrier; Mid-Century Ins. Co.	Aug. 16, 1972	Nov. 2, 1972	Detroit, Mich.; \$50.000
Southgate Corp. t/a Southgate Trucking Co., P.O.B. 840 Norfolk, Va., motor carrier; Allstate Ins. Co. (PB 5-24-68) D 10-24-72 §	Oct. 20, 1972	Oct. 24, 1972	Norfolk, Va.; \$25,000
Surburban Motor Freight, Inc., 1100 King Ave., Co- lumbus, Ohio, motor carrier; Hartford Accident & Indemnity Co. (PB 12-20-60) D 12-3-72	Aug. 23, 1972	Nov. 13, 1972	Detroit, Mich.; \$50,000
Tippet-Richardson Ltd., & Tippet-Richardson (Ottawa) Ltd., Tippet-Richardson (Hamilton) Ltd., Rawlinson Moving & Storage Ltd., Fox Cartage & Storage Ltd. as sub. companies, 77 Front St., E., Toronto 215, Ontario, Canada, motor carrier; U.S. Fidelity & Guaranty Co. (PB 6-10-70) D 12-3-72	Aug. 16, 1972	Nov. 17, 1972	Detroit, Mich. \$50,000
Transamerican Freight Lines, Inc., 1700 N. Waterman Ave., Detroit, Mich., motor carrier; Hartford Acci- dent & Indemnity Co. D 12-3-72	June 24, 1971	July 28, 1971	Detroit, Mich.; \$25,000
H. M. Trimble & Sons Ltd., P.O.B. 3500, Calgary 2, Alberta, Canada, motor carrier; Great American Ins. Co.	Feb. 25, 1972	Oct. 17, 1972	Detroit, Mich.; \$60,000
United Trucking Service, Inc., 3047 Lonyo Rd., Detroit, Mich., motor carrier; The Buckeye Union Ins. Co D 12-3-72	June 26, 1964	Jan. 14, 1965	Detroit, Mich.; \$30,000
Williamson Transportation, Inc., 130 Lenox Ave., Glenbrook, Conn., motor carrier; St. Paul Fire & Marine Ins. Co.	Nov. 10, 1972	Nov. 16, 1972	Bridgeport, Conn. \$50,000
Younger Brother, Inc., 4909 Griggs Rd., Houston, Tex., motor carrier; Fidelity & Deposit Co. of Md. D 11-9-72	Aug. 21, 1970	Oct. 16, 1970	Houston, Tex.; \$25,000
Youngstown Cartage Co., P.O.B. 119, Youngstown, Ohio, motor carrier; St. Paul Fire & Marine Ins. Co. D 12-3-72	Jan. 5, 1972	Jan. 24, 1972	Detroit, Mich.; \$25,600

<sup>&</sup>lt;sup>1</sup> Surety is Peerless Ins. Co.

(241.2)

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings.

<sup>&</sup>lt;sup>2</sup> Surety is The Aetna Casualty & Surety Co.

<sup>3</sup> Surety is U.S. Fidelity & Guaranty Co.

U.S. Treasury Note \$10,000 in lieu of surety deposited with Buffalo Federal Reserve Bank.
 Surety is Transamerica Ins. Co.

Surety is Liberty Mutual Ins. Co.

### (T.D. 72-333)

#### American Fisheries—Restrictions

Use of certain small vessels in United States fisheries prohibited

# Department of the Treasury, Office of the Commissioner of Customs, Washington, D.C., December 4, 1972.

Public Law 92-601 approved October 27, 1972, an Act "To prohibit the use of certain small vessels in United States fisheries," is set forth below.

Any necessary amendments to the regulations will be issued in due course.

(217.3)

EDWIN F. RAINS,
Acting Commissioner of Customs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the five-year period beginning on the date of the enactment of this Act, it shall be unlawful for any person on board any prohibited vessel—

(1) to transfer at sea or cause to be transferred at sea any prohibited fish; or

(2) to land or cause to be landed any prohibited fish in any port of the United States.

Sec. 2. (a) Any person who knowingly—

(1) violates the first section of this Act; (2) takes, sells, transfers, purchases, or receives any prohibited fish which are transferred or landed in violation of the first section of this Act; or

(3) violates any regulation issued pursuant to section 4 of this

Act; shall be liable to a civil penalty of not more than \$1,000, in addition to any other penalty provided by law. Each separate unlawful transfer or landing of prohibited fish shall constitute a separate violation of the first section of this Act.

(b) Any prohibited fish transferred or landed in violation of the first section of this Act, or the monetary value thereof, shall be subject to forfeiture.

SEC. 3. (a) The judges of the United States district courts and the United States magistrates may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process as may be required for enforcement of this Act and the regulations issued pursuant thereto.

(b) Enforcement of this Act and the regulations issued pursuant thereto shall be the joint responsibility of the Secretary of Commerce and the Secretary of the department in which the Coast Guard is operating.

(c) Any person authorized to carry out enforcement activities hereunder shall have the power to execute any warrant or process issued by any officer or court of competent jurisdiction for the enforcement of this Act and the regulations issued pursuant thereto.

(d) Such person so authorized shall have the power, with or without a warrant or other process, to search any vessel subject to the jurisdiction of the United States.

(e) Such person so authorized may seize, whenever and wherever lawfully found, all prohibited fish transferred, landed, taken, sold, purchased, or received in violation of the provisions of this Act or the regulations issued pursuant thereto. Any prohibited fish so seized may be disposed of pursuant to the order of a court of competent jurisdiction, pursuant to the provisions of subsection (f) of this section or, if perishable, in a manner prescribed by regulations of the Secretary concerned.

(f) Notwithstanding the provisions of section 2464 of title 28, United States Code, when a warrant of arrest or other process in rem is issued in any cause under this section, the marshal or other officer shall stay the execution of such process, or discharge any prohibited fish seized if the process has been levied, on receiving from the claimant of the prohibited fish a bond or stipulation for the value of the property with sufficient surety to be approved by a judge of the district court having jurisdiction of the violation, conditioned to deliver the prohibited fish seized, if condemned, without impairment in value or, in the discretion of the court, to pay its equivalent value in money or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in event of any breach of the conditions thereof as determined by the court. In the discretion of the accused, and subject to the direction of the court, the prohibited fish may be sold for not less than its reasonable market value and the proceeds of such sale placed in the registry of the court pending judgment in the case.

Sec. 4. The Secretary of Commerce and the Secretary of the department in which the Coast Guard is operating are authorized jointly and severally to issue such regulations as may be necessary to carry out the provisions of this Act.

Sec. 5. As used in this Act—

(1) The term "person" means a person as defined in section 1

of title 1, United States Code.

(2) The term "prohibited fish" means, with respect to any prohibited vessel, the fish, mollusk, crustacean, or other form of marine animal or plant life which such vessel was authorized to engage in the catching of before the prohibition described in paragraph (3) (C) of this section was imposed on such vessel by the foreign country concerned.

(3) The term "prohibited vessel" means any vessel of less than five net tons which was—

(A) constructed in a foreign country,

(B) used in a fishery of such foreign country, and

(C) subsequently prohibited by such foreign country from being used in such fishery;

but does not mean any such vessel which was acquired by a citizen of the United States or a resident alien before the date of the enactment of this Act.

Approved October 27, 1972.

### (T.D. 72-334)

#### Maritime agreement—Publication

Maritime Agreement between the United States and the Union of Soviet Socialist Republics

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 4, 1972.

The text of the Agreement between the United States and the Union of Soviet Socialist Republics, signed on October 14, 1972, regarding certain maritime matters, including Annex I as released by the Maritime Administration, United States Department of Commerce, is set forth below.

(213.2)

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

#### AGREEMENT BETWEEN

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING CERTAIN MARITIME MATTERS

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics;

Being desirous of improving maritime relations between the United States and the Soviet Union, particularly through arrangements regarding port access and cargo carriage by sea; and

Acting in accordance with Article Seven of the Basic Principles of Relations Between the United States of America and the Union of Soviet Socialist Republics, signed in Moscow on May 29, 1972,

Have agreed as follows:

#### ARTICLE 1

For purposes of this Agreement:

a. "Vessel" means a vessel sailing under the flag of a Party, registered in the territory of that Party, or which is an unregistered vessel belonging to the Government of such Party, and which is used for:

(i) Commercial maritime shipping, or

(ii) Merchant marine training purposes, or
 (iii) Hydrographic, oceanographic, meteorological, or terrestrial magnetic field research for civil application.

b. "Vessel" does not include:

(i) Warships as defined in the 1958 Geneva Convention on the High Seas:

(ii) Vessels carrying out any form of state function except for those mentioned under paragraph a of this Article.

#### ARTICLE 2

This Agreement does not apply to or affect the rights of fishing vessels, fishery research vessels, or fishery support vessels. This Agreement does not affect existing arrangements with respect to such vessels.

#### ARTICLE 3

The ports on the attached list of ports of each Party (Annexes I and II, which are a part of this Agreement) are open to access by all vessels of the other Party.

#### ARTICLE 4

Entry of all vessels of one Party into such ports of the other Party shall be permitted subject to four days' advance notice of the planned entry to the appropriate authority.

#### ARTICLE 5

Entry of all vessels referred to in subparagraphs a(ii) and a(iii) of Article 1 into the ports referred to in Article 3 will be to replenish ships' stores or fresh water, obtain bunkers, provide rest for or make changes in the personnel of such vessels, and obtain minor repairs and other services normally provided in such ports, all in accordance with applicable rules and regulations.

#### ARTICLE 6

Each Party undertakes to ensure that tonnage duties upon vessels of the other Party will not exceed the charges imposed in like situations with respect to vessels of any other country.

#### ARTICLE 7

While recognizing the policy of each Party concerning participation of third flags in its trade, each Party also recognizes the interest of the other in carrying a substantial part of its foreign trade in vessels

of its own registry, and thus both Parties intend that their national flag vessels will each carry equal and substantial shares of the trade between the two nations in accordance with Annex III which is a part of this Agreement.

#### ARTICLE 8

Each Party agrees that, where it controls the selection of the carrier of its export and import cargoes, it will provide to vessels under the flag of the other Party participation equal to that of vessels under its own flag in accordance with the agreement in Annex III.

### ARTICLE 9

The Parties shall enter into consultations within fourteen days from the date a request for consultation is received from either Party regarding any matter involving the application, interpretation, implementation, amendment, or renewal of this Agreement.

#### ARTICLE 10

This Agreement shall enter into force on January 1, 1973; provided that this date may be accelerated by mutual agreement of the Parties. The Agreement will remain in force for the period ending December 31, 1975, provided that the Agreement may be terminated by either Party. The termination shall be effective ninety days after the date on which written notice of termination has been received.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done at Washington this 14th day of October 1972, in duplicate in the English and Russian languages, both equally authentic.

For the Government of the United States of America:

PETER G. PETERSON, Secretary of Commerce.

For the Government of the Union of Soviet Socialist Republics:

> TIMOFEY B. GUZHENKO, Minister of Merchant Marine.

#### ANNEX I

PORTS OF THE UNITED STATES OF AMERICA OPEN TO CALLS UPON NOTICE

- Skagway, Alaska Seattle, Washington 1.
- 2. Longview, Washington 3.
- 4. Corpus Christi, Texas
- Port Arthur, Texas Bellingham, Washington 5. 6.
- Everett, Washington 7.
- Olympia, Washington 8. Tacoma, Washington 9.
- 10.
- Coos Bay (including North Bend), Oregon Portland (including Vancouver, Washington), Oregon 11.

12. Astoria, Oregon

Sacramento, California 13.

San Francisco (including Alameda, Oakland, Berkelev, Rich-14. mond), California

15. Long Beach, California

Los Angeles (including San Pedro, Wilmington, Terminal Is-16. land), California

Eureka, California 17.

Honolulu, Hawaii 18.

Galveston/Texas City, Texas 19.

Burnside, Louisiana 20. New Orleans, Louisiana 21.

- 22. Baton Rouge, Louisiana 23. Mobile, Alabama
- 24. Tampa, Florida Houston, Texas 25. 26. Beaumont, Texas
- 27. Brownsville, Texas 28. Ponce, Puerto Rico
- New York (New York and New Jersey parts of the Port of New 29. York Authority), New York 30. Philadelphia, Pennsylvania (including Camden, New Jersey)

Baltimore, Maryland 31.

Savannah, Georgia 32. Erie, Pennsylvania 33.

34. Duluth, Minnesota/Superior, Wisconsin

35. Chicago, Illinois

Milwaukee, Wisconsin 36. Kenosha, Wisconsin 37. Cleveland, Ohio

Bay City, Michigan

38. 39. Toledo, Ohio

40.

## (T.D. 72-335)

## Instruments of international traffic

Clear woven polyolefin fabric containers designated as instruments of international traffic

> DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS. Washington, D.C., December 4, 1972.

It has been established to the satisfaction of the Bureau that fabric containers composed of clear woven polyolefin materials, 8 feet by 8 feet by 20 feet and up to 8 feet by 8 feet by 40 feet, used for the transportation of dry bulk free flowing commodities, are substantial, suitable for and capable of repeated use, and will be used in significant numbers in international traffic.

Under the authority of section 10.41a(a)(1), Customs Regulations

(19 C.F.R. 10.41a(a)(1)), I hereby designate the above-described polyolefin fabric containers as "instruments of international traffic" within the meaning of section 322(a), Tariff Act of 1930, as amended. These articles may be released under the procedures provided for in section 10.41a, Customs Regulations.

(542.112)

EDWIN F. RAINS, Acting Commissioner of Customs.

[Published in the Federal Register December 12, 1972 (37 F.R. 26447)]

(T.D. 72-336)

Antidumping—Customs Regulations amended

Procedures relating to antidumping investigations and determinations modified;

Part 153, Customs Regulations amended

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C.

#### TITLE 19-CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

#### PART 153-ANTIDUMPING

On April 13, 1971, a Notice of Proposed Rule Making was published in the Federal Register (36 F.R. 7012) inviting interested persons to submit suggestions for improving those provisions of the Customs Regulations relating to antidumping procedures (19 CFR Part 153). Subsequently, proposed amendments were published in the Federal Register on April 19, 1972 (37 F.R. 7698) (hereinafter referred to as "the notice"). After consideration of all data, views, or arguments submitted in response to the notice, the following additional changes are made in Part 153:

1. In section 153.8, the proposal to delete the word "reasonably" wherever it appears before the words "direct relationship" is adopted. However, the statement in the commentary to the notice that under the change such items as bad debts and general advertising will no longer be allowed as differences in circumstances of sale is modified to the extent that expenses for general advertising of the particular product under investigation will continue to be considered appropriate for allowance as a circumstance of sale.

- 2. Paragraph (b) of section 153.15 is changed to specify a circumstance under which manufacturers, producers, or exporters involved will be named in the "Notice of Tentative Discontinuance of Antidumping Investigation."
- 3. Paragraph (c) of section 153.15 is changed to include in the statement of price assurances an additional assurance to the effect that the manufacturer, producer, or exporter concerned will permit verification of information submitted in periodic reports.
- 4. Paragraph (e) of section 153.15 has been changed to clarify existing procedures for publication of a "Discontinuance of Antidumping Investigation" notice following publication of a "Withholding of Appraisement Notice" or a "Notice of Tentative Negative Determination."
- 5. A new section 153.15(h) is added, setting forth procedures for the termination of discontinued antidumping investigations.
- 6. Section 153.17 is changed to state that merchandise specified in this section must be resold to an unrelated United States purchaser before an exporter's sales price can be determined.
- 7. Paragraph (o) of section 153.33 is changed to make clear existing procedures for publication of a negative determination following publication of a "Notice of Tentative Discontinuance of Antidumping Investigation."
- 8. In section 153.37, the provisions for opportunity to present views following publication of notice of a tentative decision or a notice of withholding of appraisement have been consolidated. Appropriate changes reflecting this are made in sections 153.15, 153.33 and 153.41.

Accordingly, Part 153, together with all amendments thereto, of the Customs Regulations, Chapter I, Title 19 of the Code of Federal Regulations, is hereby adopted, and republished as set forth below.

Effective date. Paragraphs (f), (g), and (h) of section 153.15 shall be effective with respect to all discontinued investigations, whether or not discontinued before the date of publication of these amendments. The balance of the amendments shall be effective with respect to all antidumping proceedings in which neither a decision, final or tentative, nor a notice of withholding of appraisement has been published before the 30th day after the date of publication of these amendments in the Federal Register.

(014.1)

EDWIN F. RAINS, Acting Commissioner of Customs.

Approved December 4, 1972:

EUGENE T. ROSSIDES,

Assistant Secretary of the Treasury.

[Published in the Federal Register December 9, 1972 (37 F.R. 26298)]

#### PART 153-ANTIDUMPING

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153.4 Fair value based on sales for exportation to countries other than the United States.

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#### SUBPART E-ANTIDUMPING PROTESTS

#### 153.64 Antidumping protests procedures.

AUTHORITY: The provisions of this Part 153 issued under sections 201-212, 407, 42 Stat. 11 et seq., as amended, section 5, 72 Stat. 585, sections 406, 407, 42 Stat. 18; 5 U.S.C. 301, 19 U.S.C. 160-173. Other authorities are cited to text in parentheses.

#### § 153.1 Scope.

This part sets forth procedures and rules applicable to proceedings under the Antidumping Act, 1921, as amended, the assessment of the special dumping duty, and protests relating to matters under the Antidumping Act, 1921, as amended.

#### SUBPART A-FAIR VALUE

#### § 153.2 Fair value; Definition.

For the purposes of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), the fair value of the imported merchandise shall be determined in accordance with sections 153.3 to 153.5.

#### $\S\,153.3$ Fair value based on price in country of exportation ; The usual test.

(a) General. Merchandise imported into the United States will ordinarily be considered to have been sold, or to be likely to be sold, at less than fair value if the purchase price or exporter's sales price (as defined in sections 203 and 204, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163)), as the case may be, is, or is likely to be, less than the price (as defined in section 205, after adjustment as provided for in section 202 of the Antidumping Act, 1921, as amended (19 U.S.C. 164, 161)), at which such or similar merchandise (as defined in section 212(3) of the Antidumping Act, 1921, as amended (19 U.S.C. 170a(3))) is sold for consumption in the country of exportation on or about the date of purchase or agreement to purchase of the merchandise imported into the United States if purchase price applies, or on or about the date of exportation thereof if exporter's sales price applies.

(b) Restricted sales. When home market sales form the appropriate basis of comparison, they will be used for this purpose whether or not they are restricted. If there should be restrictions which affect the value of the merchandise, appropriate adjustment of the home market price will be made.

## § 153.4 Fair value based on sales for exportation to countries other than the United States.

(a) General. If it is demonstrated that during a representative period the quantity of such or similar merchandise sold for consumption in the country of exportation is so small, in relation to the quantity sold for exportation to countries other than the United States, as to be an inadequate basis for comparison, then merchandise imported into the United States will ordinarily be deemed to have been sold, or to be likely to be sold, at less than fair value if the purchase price or the exporter's sales price (as defined in sections 203 and 204, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163)), as the case may be, is, or is likely to be, less than the price (as defined in section 205, after adjustment as provided for in section 202 of the Antidumping Act, 1921, as amended (19 U.S.C. 164, 161)), at which such or similar merchandise (as defined in section 212(3) of the Antidumping Act, 1921, as amended (19 U.S.C. 170(a)(3))), is sold for exportation to countries other than the United States on or about the date of purchase or of agreement to purchase the merchandise imported into the United States if purchase price applies, or on or about the date of exportation thereof if exporter's sales price applies.

(b) Restricted sales. When third country sales form the appropriate basis of comparison, they will be used for this purpose whether or not they are restricted. If there should be restrictions which affect the value of the merchandise, appropriate adjustment of the third

country price will be made.

## § 153.5 Fair value based on constructed value.

(a) General. If the information available is deemed by the Secretary insufficient or inadequate for a determination under sections 153.3 or 153.4 he will determine fair value on the basis of the constructed value as defined in section 206 of the Antidumping Act, 1921, as amended (19 U.S.C. 165).

(b) Merchandise from controlled economy country. Ordinarily, if the information available indicates that the economy of the country from which the merchandise is exported is controlled to an extent that sales or offers of sales of such or similar merchandise in that country or to countries other than the United States do not permit a determination of fair value under sections 153.3 or 153.4, the Secre-

tary will determine fair value on the basis of the constructed value of the merchandise determined on the normal costs, expenses, and profits as reflected by the prices at which such or similar merchandise is sold by a non-state-controlled-economy country either (1) for consumption in its own market; or (2) to other countries, including the United States.

## § 153.6 Calculation of fair value.

In calculating fair value under section 201(a), Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), the criteria in sections 153.7 through 153.16 shall apply.

### § 153.7 Fair value; Differences in quantities.

- (a) General. In comparing the purchase price or exporter's sales price, as the case may be, with such applicable criteria as sales or offers, on which a determination of fair value is to be based, reasonable allowances will be made for differences in quantities if it is established to the satisfaction of the Secretary that the amount of any price differential is wholly or partly due to such differences. In determining the question of allowances for differences in quantity, consideration will be given, among other things, to the practice of the industry in the country of exportation with respect to affording in the home market (or third country markets, where sales to third countries are the basis for comparison) discounts for quantity sales which are freely available to those who purchase in the ordinary course of trade.
- (b) Criteria for allowances. Allowances for price discounts based on sales in large quantities ordinarily will not be made unless:
- (1) Six-month rule. The exporter during the 6 months prior to the date when the question of dumping was raised or presented (or during such other period as investigation shows is more representative) had been granting quantity discounts of at least the same magnitude with respect to 20 percent or more of such or similar merchandise which he sold in the home market (or in third country markets when sales to third countries are the basis for comparison) and that such discounts had been freely available to all purchasers, or

(2) Cost justification. The exporter can demonstrate that the discounts are warranted on the basis of savings specifically attributable

to the quantities involved.

(c) Price lists. In determining whether a discount has been given, the presence or absence of a published price list reflecting such a discount is not controlling. In certain lines of trade, price lists are not commonly published and in others although commonly published they are not commonly adhered to.

## § 153.8 Fair value; Circumstances of sale.

(a) General. In comparing the purchase price or exporter's sales price, as the case may be, with the sales, or other criteria applicable, on which a determination of fair value is to be based, reasonable allowances will be made for bona fide differences in circumstances of sale if it is established to the satisfaction of the Secretary that the amount of any price differential is wholly or partly due to such differences. Differences in circumstances of sale for which such allowances will be made are limited, in general, to those circumstances which bear a direct relationship to the sales which are under consideration.

(b) Examples. Examples of differences in circumstances of sale for which reasonable allowances generally will be made are those involving differences in credit terms, guarantees, warranties, technical assistance, servicing, and assumption by a seller of a purchaser's advertising or other selling costs. Reasonable allowances will also generally be made for differences in commissions. Except in those instances where it is clearly established that the differences in circumstances of sale bear a direct relationship to the sales which are under consideration, allowances generally will not be made for differences in research and development costs, production costs, and advertising and other selling costs of a seller unless such costs are attributable to a later sale of merchandise by a purchaser; provided that reasonable allowances for selling expenses generally will be made in cases where a reasonable allowance is made for commissions in one of the markets under consideration and no commission is paid in the other market under consideration, the amount of such allowance being limited to the actual selling expense incurred in the one market or the total amount of the commission allowed in such other market. whichever is less.

(c) Relation to market value. In determining the amount of the reasonable allowances for any differences in circumstances of sale, the Secretary will be guided primarily by the effect of such differences upon the market value of the merchandise but, where appropriate, may also consider the cost of such differences to the seller, as contributing to an estimate of market value.

### § 153.9 Fair value; Similar merchandise.

In comparing the purchase price or exporter's sales price, as the case may be, with the selling price in the home market, or for exportation to countries other than the United States, in the case of similar merchandise described in subdivisions (C), (D), (E), or (F) of section 212(3), Antidumping Act, 1921, as amended (19 U.S.C. 170a(3)), due allowance shall be made for differences in the merchandise. In this regard the Secretary will be guided primarily by the effect of such differences upon the market value of the merchandise

but, when appropriate, he may also consider differences in cost of manufacture if it is established to his satisfaction that the amount of any price differential is wholly or partly due to such differences.

### § 153.10 Fair value; Offering price.

In the determination of fair value, offers will be considered in the absence of sales, but an offer made in circumstances in which acceptance is not reasonably to be expected will not be deemed to be an offer.

### § 153.11 Fair value; Sales agency.

If such or similar merchandise is sold or, in the absence of sales, offered for sale through a sales agency or other organization related to the seller in any of the respects described in section 207 of the Antidumping Act, 1921 (19 U.S.C. 166), the price at which such or similar merchandise is sold or, in the absence of sales, offered for sale by such sales agency or other organization may be used in the determination of fair value.

### § 153.12 Fair value; Fictitious sales.

In the determination of fair value, no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

## § 153.13 Fair value; Sales at varying prices.

Where the prices in the sales which are being examined for a determination of fair value vary (after allowances provided for in sections 153.7, 153.8, and 153.9), determination of fair value will take into account either the prices of a preponderance of the merchandise, or the weighted averages of the prices of the merchandise thus sold. Unless there is a clear preponderance of merchandise sold at the same price, weighted averages of the prices of the merchandise sold will normally be used. If there is not a clear preponderance of the merchandise sold at the same price and weighted averages of the prices of the merchandise sold are determined by the Secretary to be inappropriate, the Secretary may use any method for determining fair value which he deems appropriate.

## $\S 153.14$ Fair value; Quantities involved and differences in price.

Merchandise will not be deemed to have been sold at less than fair value unless the quantity involved in the sale or sales to the United States, or the difference between the purchase price or exporter's sales price, as the case may be, and the fair value, is more than insignificant.

## § 153.15 Discontinuance of antidumping investigation.

(a) Price assurances, termination of sales or other circumstances. Whenever the Secretary of the Treasury is satisfied during the course of an antidumping investigation that either:

(1) Price revisions have been made which eliminate the likelihood of sales at less than fair value and that there is no likelihood of resumption of the prices which prevailed before such revision, and assurances have been received to this effect; or

(2) Sales to the United States of the merchandise have terminated and will not be resumed and assurances have been received to this

effect;

or whenever the Secretary concludes that there are other circumstances on the basis of which it may no longer be appropriate to continue an antidumping investigation, the Secretary may publish a "Notice of Tentative Discontinuance of Antidumping Investigation" in the Fed-

eral Register.

- (b) Notice of Tentative Discontinuance of Antidumping Investigation. The notice will set forth a description of the merchandise involved and state the facts relied upon by the Secretary in publishing the notice and that those facts are considered to be evidence warranting the discontinuance of the investigation. In the case of investigations tentatively discontinued pursuant to subparagraph (a) (2) of this section, the notice will identify the manufacturers, producers or exporters who have furnished appropriate assurances. The notice will also state that interested persons shall be given the opportunity to present their views under the procedure set forth in section 153.37, and unless persuasive evidence or argument to the contrary is presented within such period as is specified in the notice the Secretary will publish a final notice discontinuing the investigation. The tentative acceptance of price assurances or assurances of termination of sales to the United States, and price revisions or the termination of sales to the United States will not prevent the Secretary from making a determination of sales at less than fair value in any case where he considers such action appropriate.
- (c) Statement concerning assurances. Assurances provided for in paragraph (a) of this section, shall be in substantially the following form:

I hereby certify that I am (an officer) (attorney-in-fact) of (name of foreign manufacturer, producer or exporter) and am authorized, on behalf of (name of foreign manufacturer, producer or exporter), to give assurances that:

(Select the applicable provision.)

1. All future sales of (commodity) by (name of foreign manufacturer, producer or exporter) for exportation to the United States shall be made at prices which are not less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) and that (name of manufacturer, producer or exporter) shall make a report to the Commissioner of

Customs which shall contain or be accompanied by the information required by section 153.15(f) of the Customs Regulations (19 CFR 153.15(f)) for such period of time and at such intervals as the Secretary may deem appropriate and shall cooperate in allowing whatever verification of such information is deemed necessary by the Secretary; or

2. All sales of (commodity) by (name of foreign manufacturer, producer or exporter) for exportation to the United States have terminated and shall not be resumed.

Officer or Attorney-in-fact

(d) Final discontinuance. As soon as possible after the publication of a "Notice of Tentative Discontinuance of Antidumping Investigation" the Secretary will determine whether final discontinuance is warranted and, if he so determines, publish a "Discontinuance of Antidumping Investigation" notice in the Federal Register.

(e) Final discontinuance after issuance of a "Withholding of Appraisement Notice" or a "Notice of Tentative Negative Determination". The procedures specified in paragraphs (b) and (d) of this section will not apply if the decision to issue a "Discontinuance of Antidumping Investigation" notice is made by the Secretary after a "Withholding of Appraisement Notice" or "Notice of Tentative Negative Determination" has been issued and thereafter he has afforded interested parties an opportunity to be heard pursuant to the provisions of section 153.37. In lieu thereof a "Discontinuance of Antidumping Investigation" notice will be published in the Federal Register setting forth the statement of reasons therefor.

(f) Periodic reports by foreign exporters. Whenever an investigation has been discontinued by the Secretary on the basis of price assurances, the foreign manufacturer, producer, or exporter of the merchandise which was the subject of the discontinued investigation shall thereafter make a report to the Commissioner of Customs for such period of time and at such intervals as the Secretary may deem appropriate. The periodic reports to the Commissioner of Customs generally shall, as determined by the Secretary, contain or be accompanied by the following:

(1) Prices at, and the terms and conditions on which, the merchandise is being sold for export to the United States and in the applicable foreign market (or information regarding constructed value as set forth in section 206 of the Antidumping Act, 1921, as amended (19 U.S.C. 165));

(2) Published price lists, if any;

(3) Information regarding discounts, quantities involved on a per sale basis, shipping charges, packing costs, and other circumstances of sales in the two markets under consideration:

(4) Information regarding differences in cost of manufacture where similar merchandise is compared pursuant to section 153.9; and

(5) Such other information which the Secretary deems appro-

priate.

(a) Reopening of discontinued investigation. In the event that the Secretary determines, subsequent to the discontinuance of an investigation pursuant to paragraph (d) of this section, that there are reasonable grounds to believe or suspect that there are or are likely to be sales to the United States at less than fair value, he will reopen the investigation by publishing forthwith in the Federal Register a "Withholding of Appraisement Notice" with respect to the merchandise. If, prior to the discontinuance of the investigation, importers and exporters concerned had requested a 6-month withholding of appraisement pursuant to section 153.34(b), when the investigation is reopened the Secretary may withhold appraisement for 6 months. If no such requests have been received, the Secretary may withhold appraisement pursuant to section 153.34(a). The withholding of appraisement may be made effective with respect to merchandise entered, or withdrawn from warehouse, for consumption not more than 90 days before the date of publication. Whenever an investigation is reopened, interested persons will be given the opportunity to present their views pursuant to section 153.37.

(h) Termination of discontinued investigations.

(1) Whenever the Secretary is satisfied that termination of a discontinued investigation is appropriate, he will publish a "Notice of Tentative Termination of Antidumping Investigation" in the Federal Register. The notice will set forth a description of the merchandise involved and state the facts relied upon by the Secretary in publishing the notice and that those facts are considered to be evidence warranting the termination of the investigation. The notice will also state that interested persons shall be given the opportunity to present their views under the procedure set forth in section 153.37, and unless persuasive evidence or argument to the contrary is presented within the period specified in the notice the Secretary will publish a final notice terminating the investigation.

(2) As soon as possible thereafter the Secretary will determine whether final termination is warranted and, if he so determines, publish a "Notice of Termination of Antidumping Investigation" in the

Federal Register.

## § 153.16 Fair value; Shipments from intermediate country.

If the merchandise is not imported directly from the country of origin, but is shipped to the United States from another country, the price at which such or similar merchandise is sold in the country of origin will be used in the determination of fair value if the merchandise was merely transshipped through the country of shipment.

## § 153.17 Fair value; Merchandise resold in a changed condition.

If exporter's sales price (as defined in section 204 of the Antidumping Act, 1921 (19 U.S.C. 163)), is applicable and the imported merchandise is resold to an unrelated United States purchaser in a condition different from that in which it was imported, the Secretary may use such reasonable basis as he deems appropriate to determine exporter's sales price.

### § 153.18 Fair value; Level of trade.

The comparison of the purchase price on exporter's sales price (as defined in sections 203 and 204, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163)), as the case may be, with the applicable price in the home market of the country of exportation (or, as the case may be, price to third country markets) will generally be made at the same level of trade. However, if the Secretary finds that the sales of the merchandise to the United States or in the applicable foreign market are insufficient in number to permit an adequate comparison, the comparison will be made at the nearest comparable level of trade and appropriate adjustments shall be made for differences affecting price comparability.

#### SUBPART B-AVAILABILITY OF INFORMATION

Note: For Bureau of Customs general provisions relating to availability of information see Part 103 of this chapter.

## $\S\,153.23$ Availability of information in antidumping proceedings.

- (a) Information generally available. In general, all information but not necessarily all documents obtained by the Treasury Department, including the Bureau of Customs, in connection with any antidumping proceeding will be available for inspection or copying by any person. With respect to documents prepared by an officer or employee of the United States, factual material, as distinguished from recommendations and evaluations, contained in any such document will be made available by summary or otherwise on the same basis as information contained in other documents. Attention is directed to section 24.12 of this chapter relating to fees charged for providing copies of documents.
- (b) Requests for confidential treatment of information. Any person who submits information in connection with an antidumping proceeding may request that such information, or any specified part thereof, be held confidential. Information covered by such a request shall be set

forth on separate pages from other information; and all such pages shall be clearly marked "Confidential Treatment Requested." The Commissioner of Customs or the Secretary of the Treasury or the delegate of either will determine, pursuant to paragraph (c) of this section, whether such information, or any part thereof, shall be treated as confidential. If it is so determined, the information covered by the determination will not be made available for inspection or copying by any person other than an officer or employee of the United States Government or a person who has been specifically authorized to receive it by the person requesting confidential treatment. If it is determined that information submitted with such a request, or any part thereof, should not be treated as confidential, or that summarized or approximated presentations thereof should be made available for disclosure, the person who has requested confidential treatment thereof shall be promptly so advised and, unless he thereafter agrees that the information, or any specified part or summary or approximated presentations thereof, may be disclosed to all interested parties, the information will not be made available for disclosure, but to the extent that it is self-serving it will be disregarded for the purpose of the determination as to sales at less than fair value and no reliance shall be placed thereon in this connection, unless it can be demonstrated from other sources that the information is correct.

(c) Standards for determining whether information will be regarded as confidential.

(1) General. Information will ordinarily be considered to be confidential only if its disclosure would be of significant competitive advantage to a competitor or would have a significantly adverse effect upon a person supplying the information or upon a person from whom he acquired the information. Further, if disclosure of information in specific terms or with identifying details would be inappropriate under this standard, the information will ordinarily be considered appropriate for disclosure in generalized, summary or approximated form, without identifying details, unless the Commissioner of Customs or the Secretary of the Treasury or the delegate of either determines that even in such generalized, summary or approximated form, such disclosure would still be of significant competitive advantage to a competitor or would still have a significantly adverse effect upon a person supplying the information or upon a person from whom he acquired the information. As indicated in paragraph (b) of this section, however, the decision that information is not entitled to protection from disclosure in its original or in another form will not lead to its disclosure unless the person supplying it consents to such disclosure.

(2) Information ordinarily regarded as appropriate for disclosure. Except as provided in section 153.23(c)(3), information will ordinarily be regarded as appropriate for disclosure if it:

(i) Relates to price information;

(ii) Relates to claimed freely available price allowances for quantity purchases; or

(iii) Relates to claimed differences in circumstances of sale.

- (3) Information ordinarily regarded as confidential. Information will ordinarily be regarded as confidential if its disclosure would:
  - (i) Disclose business or trade secrets;

(ii) Disclose production costs;

- (iii) Disclose distribution costs, except to the extent that such costs are accepted as justifying allowances for quantity or differences in circumstances of sale;
- (iv) Disclose the names of particular customers or the price or prices at which particular sales were made; or
- (v) Disclose the names of particular persons from whom confidential information was obtained, if nondisclosure of the names has been requested (5 U.S.C. 552).

SUBPART C-PROCEDURE UNDER ANTIDUMPING ACT, 1921

## § 153.25 Suspected dumping; Information from Customs officers.

If any district director of Customs has knowledge of any grounds for a reason to believe or suspect that any merchandise is being, or is likely to be, imported into the United States at a purchase price or exporter's sales price less than the foreign market value (or, in the absence of such value, then the constructed value), as contemplated by section 201(b) Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), or at less than its "fair value" as that term is defined in section 153.2, he shall communicate his belief or suspicion promptly to the Commissioner of Customs. Every such communication shall contain or be accompanied by a statement of substantially the same information as is required in section 153.27, if the district director has such information or if it is readily available to him.

## § 153.26 Suspected dumping; Information from persons outside Customs Service.

Any person outside the Customs Service who has information that merchandise is being, or is likely to be, imported into the United States under such circumstances as to bring it within the purview of the Antidumping Act, 1921, as amended, may, on behalf of an industry in the United States, communicate such information in writing to the Commissioner of Customs.

## § 153.27 Suspected dumping; Nature of information to be made available.

Communications to the Commissioner pursuant to section 153.26, regarding suspected dumping should, to the extent feasible, contain or be accompanied by the following:

(a) A detailed description or sample of the merchandise; if no sample is furnished, the Bureau of Customs may call upon the person who furnished the information to furnish samples of the imported and competitive domestic articles, or either:

(b) The name of the country from which it is being, or is likely to be, imported;

(c) The name of the exporter or exporters and producer or producers, if known;

(d) The ports or probable ports of importation into the United States:

(e) Information indicating that an industry in the United States is being injured, or is likely to be injured, or prevented from being established:

(f) Such detailed data as are available with respect to values and prices indicating that such merchandise is being, or is likely to be, sold in the United States at less than its fair value, within the meaning of the Antidumping Act, 1921, as amended, including information as to any differences between the foreign market value or constructed value and the purchase price or exporter's sales price which may be accounted for by any difference in taxes, discounts, incidental costs such as those for packing or freight, or other items.

(g) Such material as is available indicating the market price for similar merchandise in the country of exportation and in any third countries in which merchandise of the producer complained of is known to be sold.

(h) Such information as is available as to sales made for consumption in the country of exportation or for exportation otherwise than to the United States over a significant period of time prior to the date upon which the information is furnished.

(i) Such suggestions as the person furnishing the information may have as to specific avenues of investigation to be pursued or questions to be asked in seeking pertinent information.

## § 153.28 Adequacy of information.

If any information filed pursuant to section 153.26 in the opinion of the Commissioner does not conform substantially with the requirements of section 153.27, the Commissioner shall return the communication to the person who submitted it with detailed written advice as to the respects in which it does not conform.

## § 153.29 Initiation of antidumping proceeding; Summary investigation.

Upon receipt of information pursuant to section 153.25 or 153.26 in a form acceptable to the Commissioner, the Commissioner shall conduct a summary investigation. If he determines that the information is patently in error, or that merchandise of the class or kind is not being and is not likely to be imported in more than insignificant quantities, or for other reasons determines that further investigation is not warranted, he shall so advise the person who submitted the information and the case shall be closed.

## § 153.30 Antidumping Proceeding Notice.

(a) Publication of Antidumping Proceeding Notice. If the case has not been closed under section 153.29, the Secretary will publish a notice in the Federal Register that information in an acceptable form has been received pursuant to section 153.25 or 153.26. This notice, to be referred to as the "Antidumping Proceeding Notice," will specify:

(1) A description of the merchandise involved;

- (2) Whether the proceeding relates to all shipments of the merchandise in question from an exporting country, or only to shipments by certain persons or firms; in the latter case, the names of such persons and firms will be specified;
- (3) The date on which information in an acceptable form was received and that date shall be the date on which the question of dumping was raised or presented for purposes of sections 201(b) and 202(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b) and 161(a)):

(4) The fact that there is some evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States; and

(5) A summary of the information received. If a person outside the Customs Service raised or presented the question of dumping, his name may be included in the notice unless a determination under section 153.23 requires that his name not be disclosed.

(b) Time limit on publication. Generally, antidumping proceeding notices issued pursuant to section 153.30 shall be published in the Federal Register within 30 days after the date that information was received pursuant to section 153.25 or 153.26 in a form acceptable to

the Commissioner.

## § 153.31 Full scale investigation.

(a) Initiation of investigation. Upon publication of an Antidumping Proceeding Notice, the Commissioner shall proceed, by a full-scale

investigation, or otherwise, to obtain such additional information, if any, as may be necessary to enable the Secretary to reach a determination as provided by section 153.32. In order to verify the information presented, or to obtain further details, investigations will, where appropriate, be conducted by Customs Representatives in foreign countries, unless the country concerned objects to the investigation. If an adequate investigation is not permitted, or if any necessary information is withheld, the Secretary will reach a determination on the basis of such facts as are available to him.

(b) Pricing information. Ordinarily the Commissioner will require the foreign manufacturer, producer, or exporter to submit pricing information covering a period of at least 120 days prior to the date that information in a form acceptable to the Commissioner was received pursuant to section 153.25 or 153.26. The Commissioner may, however, require the submission of pricing information for such longer period as he deems necessary; and he may also require the submission of pricing information on a current basis during the course of the investigation.

## § 153.32 Determination as to fact or likelihood of sales at less than fair value.

(a) Fair value determination. Upon receipt from the Commissioner of Customs of the information referred to in section 153.31, the Secretary of the Treasury will proceed as promptly as possible to determine whether or not the merchandise in question is in fact being, or is likely to be, sold in the United States or elsewhere at less than its fair value.

(b) Submission of views. During the course of an antidumping proceeding interested persons may make such written submissions as they desire. Appropriate consideration will be given to any new or additional information submitted. The Secretary or his delegate also may at any time invite any person or persons to supply him orally

with information or argument.

(c) Time limit on investigations. Generally, within 6 months, or in more complicated investigations, within 9 months, after the date of the publication of an "Antidumping Proceeding Notice," the Secretary will publish in the Federal Register a "Withholding of Appraisement Notice" (section 153.34), a "Notice of Tentative Negative Determination" (section 153.33), or a "Notice of Tentative Discontinuance of Antidumping Investigation" (section 153.15), as appropriate. However, if the Secretary decides that the appropriate tentative decision cannot satisfactorily be made within the 9-month period, he will publish a notice of that fact in the Federal Register, together with the reasons therefor. The notice also will announce the length

of additional time, usually not more than 3 months, within which the appropriate action will be taken.

## § 153.33 Negative determination.

(a) Notice of Tentative Negative Determination. If it appears to the Secretary that on the basis of information before him a determination of sales at not less than fair value may be required, he will publish in the Federal Register a "Notice of Tentative Negative Determination," which will include a description of the merchandise involved and a statement of the reasons upon which the tentative determination is based. Opportunity to present views will be provided pursuant to section 153.37.

(b) Final determination. As soon as possible thereafter, the Secretary will make a final determination and publish his determination

in the Federal Register.

(c) Negative determination after issuance of a "Withholding of Appraisement Notice" or a "Notice of Tentative Discontinuance of Antidumping Investigation". The procedure specified in paragraphs (a) and (b) of this section will not apply if the decision to issue a negative determination is made by the Secretary after a "Withholding of Appraisement Notice" or a "Notice of Tentative Discontinuance of Antidumping Investigation" has been issued and thereafter he has afforded interested parties an opportunity to be heard pursuant to the provisions of section 153.37. In lieu thereof, a final negative determination will be published setting forth the statement of reasons.

## § 153.34 Withholding of appraisement.

- (a) Three-month period. If the Secretary determines during the course of his investigations that there are reasonable grounds to believe or suspect that any merchandise is being, or is likely to be, sold at less than its foreign market value (or, in the absence of such value, then its constructed value) under the Antidumping Act, and if there is evidence on record concerning injury or likelihood of injury to or prevention of establishment of an industry of the United States, he shall publish notice of these facts in the Federal Register in a "Withholding of Appraisement Notice," indicating:
  - (1) A description of the merchandise involved;

(2) That the belief or suspicion relates only to certain shippers or producers, if this is the case and that the withholding of appraisement is limited to the transactions of such shippers or producers; and

(3) The expiration date of the notice (which shall be no more than 3 months from the date of publication of the notice in the Federal Register, unless a longer period of withholding of appraisement has been requested pursuant to paragraph (b) of this section and has been

approved by the Secretary). This withholding of appraisement notice will be issued concurrently with the Secretary's determination pursuant to section 153.35, unless appraisement is being withheld pursuant to paragraph (b) of this section.

- (b) Six-month period. At any time prior to the issuance of the "Withholding of Appraisement Notice" referred to in paragraph (a) of this section, importers and exporters concerned may request that the period of withholding of appraisement extend for a period longer than 3 months, but in no case longer than 6 months. Upon receipt of such a request, the Secretary will decide whether appraisement should be withheld for a period longer than 3 months. If the Secretary decides that a period of withholding of appraisement longer than 3 months is justified, he will publish a "Withholding of Appraisement Notice" upon the same basis and containing information of the same type as is required by paragraph (a) of this section, except that the expiration date of the notice may be 6 months from the date of publication of the notice in the Federal Register.
- (c) Advice to District Directors of Customs. The Commissioner shall advise all district directors of Customs of the Secretary's action. Upon receipt of such advice each district director of Customs shall proceed to withhold appraisement in accordance with the pertinent provisions of section 153.48.

### § 153.35 Affirmative determination; General.

If it appears to the Secretary on the basis of the information before him that a determination of sales at less than fair value is required, unless the "Withholding of Appraisement Notice" was issued pursuant to section 153.34(b), he will publish in the Federal Register his "Determination of Sales at Less Than Fair Value." This determination will include:

- (a) A description of the merchandise involved;
- (b) The name of each country of exportation;
- (e) The name of the exporter or exporters or producer or producers, if the determination covers shipments by less than all of the exporters or producers;
- (d) The date of the receipt of the information in an acceptable form:
- (e) Whether the appropriate basis of comparison is purchase price or exporter's sales price; and
  - (f) A statement of reasons upon which the determination is based.

## § 153.36 Affirmative determination; Appraisement withheld pursuant to section 153.34(b).

If it appears to the Secretary on the basis of the information before him that a determination of sales at less than fair value is required, and if a "Withholding of Appraisement Notice" has been issued pursuant to section 153.34(b), he will publish in the Federal Register his determination of sales at less than fair value within 3 months from the date of publication of such "Withholding of Appraisement Notice." This determination will contain information of the same type as required in sections 153.35(a) through (f).

### § 153.37 Opportunity to present views.

Pursuant to publication in the Federal Register of (1) a "Withholding of Appraisement Notice"; (2) any other notice of tentative disposition of an antidumping investigation; or (3) a notice of tentative modification or revocation of a dumping finding, an opportunity will be provided for the presentation of views by interested persons as set forth below.

(a) Written. Interested persons may make such written submissions as they desire, within a period which will be specified in the notice, with respect to the contemplated action. Appropriate consideration will be given to any additional information or argument submitted.

(b) Oral. If any interested person believes that any information obtained by the Bureau of Customs in the course of the antidumping proceeding is inaccurate or that for any other reason the tentative decision or the withholding of appraisement is in error, he may request in writing, within a period which will be specified in the notice. that the Secretary of the Treasury afford him an opportunity to present his views in this regard. All such requests shall be accompanied by a statement outlining the issues which the person wishes to discuss. Upon receipt of such a request, the Secretary will notify the person who supplied any information, the accuracy of which is questioned and such other person or persons, if any, as he in his discretion may deem to be appropriate. If the Secretary is satisfied that the circumstances so warrant, an opportunity will be afforded by the Secretary or his delegate for all such persons to appear, through their counsel or in person, accompanied by counsel if they so desire, to make known their respective points of view in regard to those issues which the Secretary or his delegate has determined to be appropriate for discussion. With respect to a "Withholding of Appraisement Notice" issued pursuant to section 153.34(a), such meeting will be held within 3 weeks of the date of the publication of the notice unless for unusual reasons it is clearly impracticable to do so. In all other cases, it normally will be held within 5 weeks of such publication. Reasonable notice of the meeting will be given. The Secretary or his delegate may at any time invite any person or persons to supply him orally with information or argument.

## § 153.38 Referral to United States Tariff Commission.

When the Secretary makes a determination of sales at less than fair value he shall so advise the United States Tariff Commission.

## § 153.39 Revocation of determination of sales at less than fair value; Determination of sales at not less than fair value.

If the Secretary is persuaded from information submitted or arguments received that his determination of sales at less than fair value was in error, and if the Tariff Commission has not yet issued a determination relating to injury, he will publish a notice of "Revocation of Determination of Sales at Less Than Fair Value; Determination of Sales at Not Less Than Fair Value," or, if appropriate, a notice of "Modification of Determination of Sales at Less Than Fair Value," which notice will set forth a description of the merchandise involved and state the reasons upon which it was based. He will notify the Tariff Commission of his action.

### § 153.40 Dumping finding.

If the Tariff Commission determines that there is, or is likely to be, the injury contemplated by the statute, the Secretary of the Treasury will make the finding contemplated by section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160 (a)), with respect to the involved merchandise.

## § 153.41 Modification or revocation of finding.

(a) Application to modify or revoke. An application for the modification or revocation of any finding made as provided for in section 153.40 may be submitted in writing to the Commissioner of Customs, together with detailed information concerning any change in circumstances or practice which has obtained for a substantial period of time, or other reasons, which the applicant believes will establish that the basis for the finding no longer exists with respect to all or any part of the merchandise covered thereby.

(b) Modification or revocation by Secretary. The Secretary of the Treasury may, on his own initiative, modify or revoke a finding of

dumping.

(c) Notice of modification or revocation of finding. If it appears to the Secretary that a modification or revocation of an existing dumping finding may be appropriate, he will publish in the Federal Register a "Notice of Tentative Determination to Modify or Revoke Dumping Finding," which will include a description of the merchandise involved and a statement of the reasons upon which the tentative determination is based. Opportunity for interested persons to present views will be provided pursuant to section 153.37.

(d) Final determination. As soon as possible after publication of

a "Notice of Tentative Determination to Modify or Revoke Dumping Finding," the Secretary will make a final determination and will publish his determination in the Federal Register.

## § 153.42 Publication of determinations and findings.

Each determination made in accordance with sections 153.33, 153.34, 153.35, and 153.36, whether such determination is in the affirmative or in the negative, and each finding made in accordance with section 153.40, will be published in the Federal Register, together with a statement of the reasons therefor.

### § 153.43 List of current findings.

The following findings of dumping are currently in effect:

#### FINDINGS OF DUMPING

Merchandise	Country	T.D.	Modified by
Portland cement, other than white, nonstaining port- land cement	Sweden Belgium	55369 55428	
Portland gray cement	Portugal	55501	
Portland cement, other than white, nonstaining port- land cement	Dominican Republic	55883	
Chromic acid	Australia	56130	
Steel reinforcing bars	Canada	56150	
Carbon steel bars and structural shapes	Canada	56264	
Steel jacks	Canada	66-191	
Cast iron soil pipe	Poland	67 - 252	
Titanium sponge	U.S.S.R.	68-212	
Pig iron	U.S.S.R.	68 - 261	
Pig iron	Czechoslovakia	68 - 262	
Pig iron	East Germany	68 - 263	
Pig iron	Romania	68 - 264	
Potassium chloride, otherwise known as muriate of potash	France	69-263	
Potassium chloride otherwise known as muriate of potash	West Germany	69-264	

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Merchandise	Country	T.D.	Modified by
Potassium chloride, otherwise known as muriate of potash, except shipments by U.S. Borax & Chemical Co., Kalium, Saskatche- wan, Canada	Canada	69-265	
Aminoacetic acid (glycine)	France	70-71	
Steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia	Australia	70-81	
Whole dried eggs	Holland	70-198	
Tuners (of the type used in consumer electronic products)	Japan	70-257	
Television receiving sets, monochrome and color	Japan	71-76	
Ferrite cores (of the type used in consumer electronic products)	Japan	71-84	
Ceramic wall tile	United Kingdom	71-129	
Clear plate and float glass	Japan	71-130	
Clear sheet glass	Japan	71-131	
Pig iron	West Germany	71-192	
Pig iron	Canada	71-193	
Pig iron	Finland	71-194	
Clear sheet glass	Taiwan	71-226	
Tempered sheet glass	Japan	71-247	
Clear sheet glass weighing over 28 ounces per square foot.	France	71-293	
Clear sheet glass weighing over 16 ounces per square foot	Italy	71-294	
Clear sheet glass weighing over 28 ounces per square foot	West Germany	71-295	

Country	T.D.	Modified by
Canada	72-77	- 9
United Kingdom	72-91	
Japan	72-158	
France	72-160	
Italy	72-161	-,
Japan	72-162	
Switzerland	72-163	
United Kingdom	72-164	
Japan	72-178	
Mexico	72-179	
Japan	72-206	
Canada	72-263	
West Germany	72-311	
Japan	72-322	
	Canada United Kingdom  Japan  France Italy Japan Switzerland United Kingdom Japan Mexico Japan Canada West Germany	Canada       72-77         United Kingdom       72-91         Japan       72-158         France       72-160         Italy       72-161         Japan       72-162         Switzerland       72-163         United Kingdom       72-164         Japan       72-178         Mexico       72-179         Japan       72-206         Canada       72-263         West Germany       72-311

#### SUBPART D-ACTION BY DISTRICT DIRECTOR OF CUSTOMS

#### § 153.48 Action by the District Director of Customs.

(a) Appraisement withheld; Notice to importer. Upon receipt of advice from the Commissioner of Customs pursuant to section 153.34, the district director of Customs shall withhold appraisement as to such merchandise entered, or withdrawn from warehouse, for consumption, after the date of publication of the "Withholding of Appraisement Notice," unless the Secretary's "Withholding of Appraisement Notice" specifies a different effective date. Each district director of Customs shall notify the importer, consignee, or agent immediately of each lot of merchandise with respect to which appraisement is so withheld. Such notice shall indicate: (1) the rate of duty of the merchandise under the applicable item of the Tariff Schedules of the United States if known; and (2) the estimated margin of the special dumping duty that could be assessed. Upon advice of a finding made in accordance with section 153.40, the district director of Customs shall give immediate notice thereof to the importer when any shipment subject thereto is imported after the date of the finding and information is not on hand for completion of appraisement of such shipment.

(b) Request to proceed with appraisement. If, before a finding of dumping has been made, or before a case has been closed without a finding of dumping, the district director of Customs is satisfied by information furnished by the importer or otherwise that the purchase price or exporter's sales price, in respect of any shipment, is not less than foreign market value (or, in the absence of such value, than the constructed value), he shall so advise the Commissioner and request authorization to proceed with his appraisement of that shipment in the usual manner.

### § 153.49 Reimbursement of dumping duties.

(a) General. In calculating purchase price or exporter's sales price as the case may be, there shall be deducted the amount of any special dumping duties which are, or will be paid by the manufacturer, producer, seller, or exporter, or which are, or will be, refunded to the importer by the manufacturer, producer, seller, or exporter, either directly or indirectly, but a warranty of nonapplicability of dumping duties entered into before the initiation of the investigation, will not be regarded as affecting purchase price or exporter's sales price if it was granted to an importer with respect to merchandise which was:

(1) Purchased, or agreed to be purchased, before publication of a "Withholding of Appraisement Notice" with respect to such mer-

chandise, and

(2) Exported before a determination of sales at less than fair value is made.

(b) Statement concerning reimbursement. Before proceeding with appraisement of any merchandise with respect to which dumping duties are found to be due the district director of Customs shall require the importer to file a written statement in the following form:

I hereby certify that I (have) (have not) entered into any agreement or understanding for the payment or for the refunding to me, by the manufacturer, producer, seller or exporter of all or any part of the special dumping duties assessed upon the following importations of (commodity) from (country): (List entry numbers) which have been purchased on or after (date of publication of withholding in Federal Register) or purchased before (same date) but exported on or after (date of determination of sales at less than fair value).

A certificate will be required for all merchandise that is unappraised on the date that the finding of dumping is issued. Thereafter, a separate certificate will be required for each additional shipment.

## § 153.50 Release of merchandise; Bond.

When the district director of Customs in accordance with section 153.34(s) has received a notice of withheld appraisement or when he has been advised of a finding provided for in section 153.40, and so long

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as such notice or finding is in effect, he shall withhold release of any merchandise of a class or kind covered by such notice or finding which is then in his custody or is thereafter imported, unless an appropriate bond is filed or is on file, as specified hereafter in section 153.51, or unless the merchandise covered by a specified entry will be appraised without regard to the Antidumping Act, 1921, as amended.

### § 153.51 Type of bond required.

(a) General. If the merchandise is of a class or kind covered by a notice of withheld appraisement provided for in section 153.48(a) or by a finding provided for in section 153.40, a single consumption entry bond covering the shipment, in addition to any other required bond, shall be furnished by the person making the entry or withdrawal, unless:

(1) A bond is required under paragraph (b), or

(2) In cases in which there is no such requirement, the district director of Customs is satisfied that the bond under which the entry was filed is sufficient.

The face amount of any additional bond required under this paragraph shall be sufficient to assure payment of any special duty that may accrue by reason of the Antidumping Act, but in no case shall be for less than \$100.

(b) Bond on Customs Form 7591. If the merchandise is of a class or kind covered by a finding provided for in section 153.40 and the resale price in the United States is unknown, the bond required by section 208 of the Antidumping Act, 1921 (19 U.S.C. 167), shall be on Customs Form 7591. In such case, a separate bond shall be required for each entry or withdrawal, and such bond shall be in addition to any other bond required by law or regulation. The record of sales required under the conditions of the bond of Customs Form 7591 shall identify the entry covering the merchandise and show the name and address of each purchaser, each selling price, and the date of each sale. The face amount of such bond shall be equal to the estimated value of the merchandise covered by the finding.

## § 153.52 Conversion of currencies.

In determining the existence and amount of any difference between the purchase price or exporter's sales price and the foreign market value (or, in the absence of such value, the constructed value) for the purposes of sections 153.2 through 153.5 of these regulations, or of section 201(b) or 202(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b), 161(a)), any necessary conversion of a foreign currency into its equivalent in United States currency shall be made in accordance with the provisions of section 522, Tariff Act of 1930, as amended (31 U.S.C. 372) and section 16.4 of this chapter; (a) as of the date of purchase or agreement to purchase, if the purchase price is an element

of the comparison; or (b) as of the date of exportation, if the exporter's sales price is an element of the comparison.

## § 153.53 Dumping duty.

(a) Rule for assessment. A special dumping duty shall be assessed on all importations of merchandise, whether dutiable or free, as to which the Secretary of the Treasury has made public a finding of dumping, entered or withdrawn from warehouse, for consumption, not more than 120 days before the question of dumping was raised by or presented to the Secretary or his delegate, provided the particular importation has not been appraised prior to the publication of such finding, and the district director of Customs has determined that the purchase price or exporter's sales price is less than the foreign market value or constructed value, as the case may be.

(b) Entered value not controlling. The fact that the importer has added, on entry, the difference between the purchase price or the exporter's sales price and the foreign market value or constructed value and the district director of Customs has approved the resulting entered value shall not prevent the assessment of the special dumping duty.

## § 153.54 Notice to importer.

Before the special dumping duty is assessed, the district director of Customs shall notify the importer, his consignee, or agent of the appraisement of the merchandise, as in the case of an advance in value.

## § 153.55 Dumping duty; Samples.

If the necessary conditions are present, the special dumping duty shall be assessed on samples imported for the purpose of taking orders and making sales in this country.

## § 153.56 Method of computing dumping duty.

If it appears that the merchandise has been purchased by a person not the exporter within the meaning of section 207, Antidumping Act, 1921 (19 U.S.C. 166), where purchase price is less than foreign market value, the special dumping duty shall equal the difference between the purchase price and the foreign market value on the date of purchase, or agreement to purchase, or, if there is no foreign market value, between the purchase price and the constructed value, any foreign currency involved being converted into United States money as of the date of purchase or agreement to purchase. If it appears that the merchandise is imported by a person who is the exporter within the meaning of such section 207, where the exporter's sales price is less than foreign market value, the special dumping duty shall equal the difference between the exporter's sales price and the foreign market value on the date of exportation, or, if there is no foreign market value, between the exporter's sales price and the constructed value, any for-

eign currency involved being converted into United States money as of the date of exportation.

#### SUBPART E-ANTIDUMPING PROTESTS

## § 153.64 Antidumping protests procedures.

Protests relating to the Antidumping Act, 1921, shall be made in the same manner as protests relating to ordinary Customs duties.

## (T.D. 72-337)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

# DEPARTMENT OF THE TREASURY, OFFICE OF THE COMMISSIONER OF CUSTOMS, Washington, D.C., December 4, 1972.

The Federal Reserve Bank of New York, pursuant to section 552 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

	Hong Kong dollar:	Official	Free
	October 30, 1972	\$0.1750	\$0.176912*
	October 31, 1972	. 1770	.176600*
	November 1, 1972	. 1800	.176600*
	November 2, 1972	. 1800	.176912*
	November 3, 1972	.1760	.177226*
	Iran rial:		
	November 20, 1972		\$0.0131
	November 21, 1972		.0129
	November 22, 1972		.0128
	November 23, 1972		Holiday
	November 24, 1972		
	Philippine peso:		
	November 20, 1972		\$0. 1460
	November 21, 1972		
	November 22, 1972		
	November 23, 1972		Holiday
	November 24, 1972		
-			

<sup>\*</sup>Certified as nominal.

## Singapore dollar:

November 20, 1972	\$0.3610
November 21, 1972	. 3615
November 22, 1972	. 3615
November 23, 1972	Holiday
November 24, 1972	. 3610

## Thailand baht (tical):

November 20, 1972	\$0.0478
November 21, 1972	. 0479
November 22, 1972	. 0478
November 23, 1972	Holiday
November 24, 1972	. 0479

(342.211)

G. R. DICKERSON,
Assistant Commissioner,
Office of Operations.

(T.D. 72-338)

Synopses of Drawback decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 29, 1972.

The following are synopses of drawback rates and amendments issued October 26 to November 17, 1972, inclusive, pursuant to sections 22.1 and 22.5, inclusive, Customs Regulations; and approvals under section 22.6, Customs Regulations.

(731.1)

Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

(A) Cans and can lids, aluminum and aluminum alloy.—T.D. 51991-A, as amended, and particularly as amended by T.D. 54423-A, covering, among other things, aluminum and aluminum alloy fabricated articles manufactured under section 1313(b) by Kaiser Aluminum and Chemical Corp., Oakland, Calif., at its Trentwood, Wash., factory, with the use of aluminum and aluminum alloy sheets, further amended to cover aluminum and aluminum alloy cans and can lids manufactured by the said company at additional factories located at

Edison, N.J.; Houston, Tex.; Jacksonville, Fla.; Union City, Calif.; and Wanatah, Ind., with the use of aluminum and aluminum alloy sheet.

Amendment effective on articles manufactured and exported on and after June 1,1971.

Manufacturer's supplemental statement of May 3, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., November 6, 1972.

(B) Confectionery.—Manufactured under section 1313(b) by Charms Co., Bloomfield, N.J., with the use of hard or liquid refined sugar.

Rate effective on articles manufactured and exported on and after January 1, 1970.

T.D. 46607-E, as amended by T.D. 48473-E, revoked.

Manufacturer's statement of August 16, 1972, forwarded to Regional Commissioners of Customs, New York, N.Y., and San Francisco, Calif., November 15, 1972.

(C) Frozen concentrated orange juice (palatable), frozen concentrated grapefruit juice (palatable), instant orange juice, and instant grapefruit juice.—Manufactured under section 1313(b) by Citrus World, Inc., Lake Wales, Fla., with the use of frozen orange and grapefruit juice concentrates, in bulk, (unpalatable).

Rate effective on articles manufactured on and after December 17,

1971.

Manufacturer's statement of March 22, 1972, forwarded to Regional Commissioner of Customs, Miami, Fla., October 31, 1972.

(D) Fuel gas, ethylene, propylene, acetylene, butadiene, dripolene "C" and other petrochemical products and intermediates.—T.D. 70–189-L, covering, among other things, polyethylene, and ethylene oxide manufactured under section 1313(b) by Union Carbide Corp., New York, N.Y., at its factory located at Torrance, Calif., with the use of ethylene, amended to cover the following articles manufactured under section 1313(b) by the company at its Texas City, and Seadrift, Tex.; and Institute and South Charleston, W. Va., factories, with the use of the merchandise listed below:

Fuel gas, ethylene, propylene, acetylene, butadiene, and dripolene "C" manufactured with the use of refinery gas;

ethylene dichloride manufactured with the use of ethylene;

ethylene diamine, diethylene triamine and triethylene tetramine manufactured with the use of ethylene dichloride;

vinyl chloride manufactured with the use of ethylene dichloride;

vinyl resins manufactured with the use of vinyl chloride;

ethylene oxide manufactured with the use of ethylene;

ethylene, diethylene, and triethylene glycols manufactured with the use of ethylene oxide;

cellosolve and carbitol manufactured with the use of ethylene oxide and ethanol;

cellosolve acetate manufactured with the use of cellosolve and acetic acid;

monoethanolamine, diethanolamine, and triethanolamine manufactured with the use of ethylene oxide;

normal propanol manufactured with the use of ethylene;

carbowax manufactured with the use of ethylene oxide;
UCON products manufactured with the use of ethylene oxide and

propylene oxide; tergitols manufactured with the use of ethylene oxide;

NIAX diols, Triols, and polyols manufactured with the use of ethylene oxide and propylene oxide;

ethanol manufactured with the use of ethylene;

acetaldehyde manufactured with the use of ethanol;

acetic acid and acetic anhydride manufactured with the use of acetaldehyde;

vinyl ethyl ether, crude and refined, manufactured with the use of acetaldehyde and ethanol;

vinyl resins manufactured with the use of refined vinyl ethyl ether;

glutaraldehyde manufactured with the use of crude ethyl ether; ethyl acetate and isobutyl acetate manufactured with the use of acetic acid;

butyraldehyde and butanol manufactured with the use of acetaldehyde;

2-ethyl hexanol manufactured with the use of refined butyraldehyde;

flexol plasticizers manufactured with the use of 2-ethyl hexanol and phthalic anhydride;

2-ethyl hexyl acrylate manufactured with the use of 2-ethyl hexanol;

2-ethyl 1, 3 hexanediol manufactured with the use of butyraldehyde;

butyl carbitol acetate, butyl cellosolve, and butyl cellosolve acetate manufactured with the use of butanol and ethylene oxide;

low and high density polyethylene manufactured with the use of ethylene;

ethylbenzene manufactured with the use of ethylene and benzene; styrene manufactured with the use of ethylbenzene;

propylene oxide manufactured with the use of propylene;

monopropylene, dipropylene and tripropylene glycols manufactured with the use of propylene oxide;

isopropanol manufactured with the use of propylene; acetone manufactured with the use of isopropanol;

isopropyl acetate manufactured with the use of isopropanol and acetic acid;

methyl isobutyl ketone and diisobutyl ketone manufactured with the use of isopropanol and acetone;

diisobutyl carbinol manufactured with the use of diisobutyl ketone;

isophorone manufactured with the use of acetone;

diacetone alcohol manufactured with the use of acetone;

refined mesityl oxide manufactured with the use of acetone;

2-ethylhexanol manufactured with the use of propylene;

vinyl acetate manufactured with the use of acetylene and acetic acid:

morpholine manufactured with the use of diethanolamine; phthalic anhydride manufactured with the use of naphthaline.

Amendment effective on articles manufactured on and after January 1, 1968, and exported on and after January 7, 1968.

Manufacturer's supplemental statement of September 28, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., November 2, 1972.

(E) Normal paraffins, tergitols, and ucane alkylates.—T.D. 70–189—L, covering, among other things, polyethylene and ethylene oxide manufactured under section 1313(b) by Union Carbide Corp., New York, N.Y., at its Torrance, Calif., factory, with the use of ethylene, further amended to cover normal paraffins manufactured by the company under section 1313(b) at its Texas City, Tex., factory, with the use of kerosene; tergitols manufactured by the company at its Texas City,

Tex., and Institute, W. Va., factories, with the use of normal paraffins and ethylene oxide; and ucane alkylates manufactured by the company under section 1313(b) at its Institute, W. Va., factory, with the use of normal paraffins and benzene.

Amendment effective on articles manufactured on and after Jan-

uary 1, 1968, and exported on and after January 7, 1968.

Manufacturer's supplemental statement of September 28, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., November 17, 1972.

(F) Plastics, synthetics, in pellet form.—T.D. 69-240-T, as amended by T.D. 71-201-K, covering, among other things, synthetic plastics in pellet form manufactured under section 1313(b) by Ampacet Corp., Mt. Vernon, N.Y., with the use of titanium dioxide, further amended to cover such articles manufactured under section 1313(b), by the said company with the use of chrome green medium, light chrome yellow and paliogen red GG (perylene derivative).

Amendment effective on articles manufactured and exported on and

after May 6, 1970.

Manufacturer's supplemental statements on June 23, 1972, and October 18, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., November 17, 1972.

(G) Polytetrafluoroethylene (PTFE).—T.D. 52765–D, as amended by T.D.'s 53472–B, 55964–B, 67–130–J, 67–183–D, 71–105–E, and 72–116–S, covering, among other things, dyestuffs manufactured under section 1313 (a) by ICI America Inc., Stanford, Conn., at its factory located at Dighton, Mass., with the use of imported dyestuff intermediates, further amended to cover polytetrafluoroethylene (PTFE) manufactured by the said company at its Bayonne, N.J., factory, with the use of chlorodifluoromethane.

Amendment effective on articles manufactured on or after April 1, 1970, and exported on and after June 9, 1970.

Supplemental statement of January 14, 1972, forwarded to Regional Commissioner of Customs, New York, N.Y., October 26, 1972.

(H) Surfactants.—Manufactured under section 1313 (b) by The Dow Chemical Co., Midland, Mich., with the use of propylene tetramer. Rate effective on articles manufactured on and after October 7, 1971, and exported on and after October 29, 1971.

Manufacturer's statement of September 28, 1972, forwarded to Regional Commissioner of Customs, Chicago, Ill., November 15, 1972.

(I) Wool matchings.—Manufactured under section 1313(b) by North Central Wool Marketing Corp., Minneapolis, Minn., with the use of grease wool. Rate effective on articles manufactured and exported on and after August 1, 1972.

Manufacturer's statements of July 20, September 27, and October 19, 1972, forwarded to the Regional Commissioner of Customs, Chicago, Ill., October 30, 1972.

### Approvals under section 22.6, Customs Regulations

(1) Petroleum Products.—T.D. 66-172(2), as amended by T.D. 68-297(2), covering petroleum products manufactured under section 1313(b) by Phillips Petroleum Co., Bartlesville, Okla., at its various refineries, with the use of crude petroleum or petroleum derivatives, amended to cover such products manufactured at an additional refinery at Toledo, Ohio.

Amendment effective on articles manufactured and exported on and

after May 31, 1970.

Supplemental statement of May 30, 1972, forwarded to Regional Commissioners of Customs, Chicago, Ill.; Houston, Tex.; and New York, N.Y., November 17, 1972.

(2) Petroleum products.—T.D. 70-66(1), covering petroleum products manufactured under section 1313(b) by Ashland Oil & Refining Co., Inc., Ashland, Ky., at its various refineries with the use of crude petroleum, amended to cover such products manufactured by Ashland Oil, Inc., successor.

Amendment effective on articles exported on and after February 2,

1970, the date of succession.

Supplemental statement of July 30, 1970, forwarded to Regional Commissioner of Customs, Chicago, Ill., November 17, 1972.

## (T.D. 72-339)

Cotton, wool and manmade fiber textiles-Restrictions on entry

Restriction on entry of cotton textiles and cotton textile products and wool and manmade fiber textile products manufactured or produced in the Republic of Korea

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 8, 1972.

There is published below the directive of May 19, 1972, received by the Commissioner of Customs from the Chairman, Committee for the Implementation of Textile Agreements, concerning the visa requirement for cotton textiles and cotton textile products and wool and manmade fiber textile products, manufactured or produced in the Republic of Korea.

This directive was published in the Federal Register on May 25, 1972 (37 F.R. 10605), by the Committee.

(343.3)

R. N. Marra,
Acting Assistant Commissioner,
Office of Operations.

THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

May 19, 1972.

Commissioner of Customs Department of the Treasury Washington, D.C. 20226

DEAR MR. COMMISSIONER:

On May 28, 1968, the Chairman, President's Cabinet Textile Advisory Committee directed you to prohibit, effective upon publication of notice in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton textiles and cotton textile products produced or manufactured in the Republic of Korea and exported from the Republic of Korea for which the Republic of Korea had not issued a Visa. This letter supersedes the aforesaid letter of May 28, 1968 effective 30 days after publication of this letter in the Federal Register.

Under the provisions of the bilateral Cotton Textile Agreement of December 30, 1971 and the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972 between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective 30 days after publication of this letter in the Federal Register and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64 and wool textile products in Categories 101–126, 128, and 131–132 and man-made fiber textile products in Categories 200–243, produced or manufactured in the Republic of Korea, for which the Republic of Korea has not issued an appropriate Visa fully described below. The Visa requirements, however, will become effective ninety days after

publication of this letter in the Federal Register for wool textile products in Categories 101–126, 128, and 131–132 and man-made fiber textile products in Categories 200–243, produced or manufactured in the Republic of Korea and exported to the United States from the

Republic of Korea before the date of publication.

The Visa will be a stamp on the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document or commercial invoice when such form is used); and will indicate the quantity of cotton, wool, man-made fiber textiles and textile products involved in the appropriate unit or units of measure, the category or categories under which the textiles and textile products are classified, and the authorized signature of the official issuing the Visa. A facsimile of the stamp, along with the signature of those officials authorized to issue Visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton, wool, man-made fiber textiles and textile products produced or manufactured in the Republic of Korea and exported to the United States from the Republic of Korea, notwithstanding the designated shipment or shipments do not meet the aforementioned Visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the Federal Register on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton, wool, man-made fiber textiles and textile products from the Republic of Korea, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

STANLEY NEHMER,

Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources



(T.D. 72-340)

## Abstracts of Bureau decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 8, 1972.

The following abstracts of Bureau of Customs decisions of general interest are published as a matter of information and guidance.

(133.121)

Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

#### AIRCRAFT AND VESSEL SUPPLIES AND EQUIPMENT

T.D. 72-340(1) Motor bus.—A motor bus or similar equipment, which is the property of a foreign air carrier and which remains at the airport where it is used only for the carriage of passengers in either direction between a departure lounge or other room of an airport terminal building and aircraft of the foreign air carrier, qualifies for withdrawal duty-free as ground equipment under 19 U.S.C. 1309(a) (3) and (d). Bureau letter dated May 2, 1972. (235)

#### DRAWBACK

- T.D. 72-340(2) Wool, method of determining clean content and grade.—"Commercial methods" as used in paragraph 4 of T.D. 55038 include tests performed by the seller of wool in accordance with American Society for Testing and Materials (ASTM) standards. Bureau letter dated May 26, 1972. (731.1)
- T.D. 72-340(3) Wool, method of determining quantity used.—In order to file proper drawback claims on articles manufactured with the use of wool, it is necessary to determine the quantity (on the basis of clean content) of wool used. Some manufacturers have found it difficult and expensive to determine the quantity of wool by direct weighing. Therefore, a procedure has been approved whereby the quantity (on the basis of clean content) of wool used may be determined by weighing the articles produced therefrom and then applying to the weights factors developed by the manufacturer with the assistance of the Chief Chemist, Customs Laboratory, Boston, Mass., and approved by the appropriate regional commissioner of customs. Bureau letter dated August 8, 1972. (731.1)

#### ENTRY AND LIQUIDATION

T.D. 72-340(4) Entry for immediate transportation. Effective date of rates of duty for goods diverted to a port other than the port originally designated in the transportation entry.—Under the exception set forth in section 315(a)(2), Tariff Act of 1930, as amended, the governing date for rate of duty purposes for goods covered by an immediate transportation entry arriving at the port originally designated in the immediate transportation entry is the date when the transportation entry was accepted at the port of original importation. Goods diverted to a port other than that originally designated in the transportation entry do not come within the exception, but come within the scope of the general rule expressed in section 315, Tariff Act of 1930, as amended, that the rate of duty imposed on any article entered for consumption shall be the rate or rates in effect when the documents comprising the entry for consumption and any estimated or liquidated duties then required to be paid have been deposited with the appropriate Customs office in the form and manner prescribed by regulations. Bureau letter dated July 30, 1971. (327.3)

#### INSULAR POSSESSIONS

T.D. 72-340(5) Sulfa drugs, modified for use in veterinary medicine.—The chemical processing in the Virgin Islands of imported sulfa drugs into their sodium salts for use in veterinary medicine will result in sodium sulfa drug compounds which are articles manufactured or produced in the Virgin Islands for the purpose of General Headnote 3(a), TSUS. Bureau letter dated August 29, 1972. (017.6)

#### TARIFF CLASSIFICATION

- T.D. 72-340(6) Articles nspf, of plastics. Animal tag.—A vinyl animal tag, which is used for temporary identification of cattle during an auction sale and is hung from an ear of the animal, is classifiable under the provision for articles nspf, of plastics \* \* \* other, in item 774.60, TSUS. Bureau letter dated August 23, 1972. (434.1)
- T.D. 72-340(7) Bars, copper. Bar, phosphor-bronze.—A phosphor-bronze bar 0.314 inch square, 95/5 alloy, wound in coils, is classifiable under the provision for bars of copper, \* \* \* other, in item 612.44, TSUS, and not under the provision for bars of brass \* \* \* other, in item 612.39 TSUS. Bureau letter dated August 18, 1972. (426.334)
- T.D. 72-340(8) Bells, musical instruments or parts. Electronic capture system.—A unit resembling a circuit board which contains various electronic units and which performs a function of registering organ stops automatically rather than manually is classifiable under the pro-

vision for musical instrument parts nspf, in *item 726.80*, TSUS. Bureau letter dated April 27, 1972. (431)

- T.D. 72-340(9) Bolts of iron or steel. Eye bolt.—A shoulder eye bolt and a plain pattern eye bolt, both of iron or steel, are classifiable under the provision for bolts of iron or steel, in item 646.54, TSUS, rather than under the provision for articles of iron or steel, \* \* \* other, in item 657.20, TSUS. Bureau letter dated June 13, 1972. (344.3)
- T.D. 72-340(10) Chains of iron or steel. Tire Chains.—Tire protection chains used on various construction equipment and made of three-piece steel links consisting of two round forged pieces with lips and one forged flat bar with holes for the lips, are classifiable under the provision for chains of iron or steel, \* \* \* other, in item 652.34, TSUS. T.D. 67-73(5), noted. Bureau letter dated June 1, 1972. (424.442)
- T.D. 72-340(11) Component-in-chief-value. Coat of cotton and man-made fibers.—A coat with an outer shell of blended cotton and man-made fibers (in chief value of cotton) and a lining of man-made fibers is in chief value of cotton only if the value of the cotton portion of the outer shell exceeds the value of the lining and the man-made fiber portion of the outer shell; otherwise, the garment is in chief value of man-made fibers. Bureau letter dated April 5, 1972. (471.3)
- T.D. 72-340(12) Crude vegetable substances, nspf. Betel Leaf.—Dried betel leaf, if chiefly used as a drug, is classifiable under the provision for natural drugs, crude, in item 439.10, TSUS; if not chiefly used as a drug, dried betel leaf is classifiable under the provision for vegetable substances, crude, nspf, in item 193.25, TSUS. Bureau letter dated April 28, 1972. (467.936)
- T.D. 72-340(13) Edible preparations, nspf. Bread Stuffing.—Bread Stuffing, made of bread crumbs and seasoning, is classifiable as an edible preparation nspf \* \* \* other, in item 182.95, TSUS, and not as bread made with the use of yeast as the leavening substance, in item 182.25, TSUS. Bureau letter dated July 20, 1972. (461.33)
- T.D. 72-340(14) Edible preparations, nspf. Vegetable protein isolate.—Vegetable protein isolate, the major proteinaceous fraction of vegetable seed such as soy beans, sesame, cotton, etc., is classifiable under the provision for edible preparations nspf \* \* \* other, in item 182.95, TSUS. Bureau letter dated April 10, 1972. (418.55)
- T.D. 72-340(15) Fabrics, of textile materials, woven, with flocked design.—A woven nylon fabric, with circles of flock which are applied

directly to the surface of the fabric and which cover only a portion of that surface, is classifiable under the provision for woven fabrics, of man-made fibers \* \* \* other, in *item 338.30*, TSUS, and not under the provision for ornamented fabrics in *item 353.50*, TSUS. T.D.'s 56490(128) and 56535(66), noted. Bureau letter dated July 6, 1972. (474.6)

- T.D. 72-340(16) Grapes, otherwise prepared or preserved. "Grape Must."—"Grape must," consisting of unfiltered, unstrained, crushed, non-fermented grapes, which have not been cooked and sieved to the consistency of puree, is classifiable under the provision for grapes, \* \* \* otherwise prepared or preserved, in item 147.77, TSUS. Bureau letter dated August 18, 1972. (463.46)
- T.D. 72-340(17) Medical instruments and apparatus. Inflatable cuff.—An inflatable balloon cuff, consisting of a rubber tube, approximately ¼ inch in diameter, 14 inches long, having an inflatable doughnut about 6 inches in circumference at one end, and used to retain a barium enema in the lower gastrointestinal tract during fluoroscopic examination, is classifiable as medical apparatus, \* \* \* other, in item 709.27, TSUS. T.D. 66-120(29), noted, Bureau letter dated April 11, 1972. (465.264)
- T.D. 72-340(18) Mercury compounds, other. Yellow mercuric oxide.—Yellow mercuric oxide is classifiable under the provision for mercury compounds \* \* \* other, in item 419.54, TSUS. Bureau letter dated April 27, 1972. (417.0)
- T.D. 72-340(19) Metal-working machine tools. Ion etching apparatus.—Ion etching or ion milling apparatus, for microetching or micromilling semiconductor substrates or other materials by micromanipulation of the material within an ion beam, consisting of the ion source or an "ion gun," power unit, cooling system, vacuum pump, and micromanipulating apparatus, is classifiable under the provision for metal-working machine tools \* \* \* other, in item 674.35 TSUS. Bureau letter dated March 24, 1972. (434)
- T.D. 72-340(20) Other articles of copper. Brass socket.—A forged brass socket used to hold pressure and vacuum gauges and thermometers in place when used in a variety of applications is classifiable under the provision for articles of copper, not coated or plated with precious metal \* \* \* other, in item 657.35, TSUS. Bureau letter dated May 31, 1972. (423.37)
- T.D. 72-340(21) Parts of supply meters. Impulse totalizer.—An impulse totalizer, which accepts inputs from multiple watthour and varhour metering points, and which by means of flip-flop relays, im-

pulse storage, a commutator and mechanical registers, displays and transmits net totalized watthour data, that is, total energy minus reactive energy, through a single channel to a computer, printout, or other device, and which contains, depending on options selected, watthour or varhour registers for each input channel and various totalized and net totalized registers for output channels, and a demand meter, is classifiable under the provision for parts of supply meters, in *item* 713.15, TSUS. Bureau letter dated April 13, 1972. (431.24)

- T.D. 72-340(22) Pen points. Nib units.—Nib units, consisting of a pen point and insert, which, as units, are screwed into fountain pen barrels, are classifiable in item 760.30, TSUS, if of gold, and in item 760.32, TSUS, if of other material. Bureau letter dated May 22, 1972. (496.2)
- T.D. 72-340(23) Practical joke articles. Magnetic insects.—Various insects, such as flies, lady bugs, and spiders, which are made of plastic, ranging in sizes from ½ to 1 inch, and which have a magnet embedded in them and an additional magnet which may be held next to a cup, plate, or clothing so that the attraction of the magnet will cause the objects to appear to move about, are classifiable as magic tricks, and practical joke articles, in item 737.65, TSUS. Bureau letter dated March 31, 1972. (492.13)
- T.D. 72-340(24) Structures. Parabolic antenna steelwork.—A dish-shaped steelwork skeleton designed to support a reflector for a parabolic antenna imported without the reflector surface, or any other apparatus, is classifiable under the provision for structures of base metal \* \* \* other, in item 652.98, TSUS. Bureau letter dated April 28, 1972. (426.89)
- T.D. 72-340(25) Structures and parts of structures. Garage roll-adoor unit.—A garage roll-a-door unit, consisting of a steel curtain-like door and a manually-operated steel chain mechanism used to lower and raise the door, is classifiable under the provision for structures and parts of structures \* \* \* other, in item 652.98, TSUS, rather than under the provision for articles of iron or steel, not coated or plated with precious metal \* \* \* other, in item 657.20, TSUS. Bureau letter dated May 18, 1972. (426.89)
- T.D. 72-340(26) Toy figures of animate objects. Hanging Bird.—A hanging bird consisting of a plastic body covered with a felt-type material, which is suspended on a spring, the motion of which causes the wings of the bird to move in a manner simulating a bird in flight,

is classifiable under the provision for toy figures of animate objects (except dolls), not having a spring mechanism and not stuffed \* \* \* other, in *item 737.40*, TSUS. Bureau letter dated August 23, 1972. (418.44)

**T.D. 72-340(27)** Wearing apparel, knit or not knit.—When a garment contains both knit and not knit portions, neither of which is predominant and characteristic, and it is necessary to categorize the garment as either "knit" or "not knit" because there are two competing tariff descriptions under the same superior heading or under equally specific superior headings which are equally applicable, General Headnote 10(d), TSUS, applies and the garment is classifiable under the provision with highest original statutory rate, or if the rates are equal, under the provision that first appears in the tariff schedules. Bureau letter dated July 28, 1972. (474.7)

T.D. 72-340(28) Wearing Apparel, not ornamented. Skirt with tucking forming pleats.—A women's knit skirt composed of narrow sections of fabric sewn together vertically by two rows of stitching, one extending from waist to hem and the other extending 7 inches down from the waist to form a tuck with a pleat extending from the bottom of the tuck to the hem, is classifiable as wearing apparel, not ornamented, in item 382.78, TSUS. The tucking is considered functional, since its function is to form the pleat. Bureau letter dated July 6, 1972. (474.6)

## (T. D. 72-341)

Foreign currencies—Daily rates for countries not on quarterly list

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 12, 1972.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to section 16.4, Customs Regulations (19 CFR 16.4).

Hong Kong dollar:	Official		
November 6, 1972	\$0.1760	\$0.177304*	
November 7, 1972	Holiday		
November 8, 1972	. 1760	. 177147*	
November 9, 1972	. 1760	.176991*	
November 10, 1972	.1760	. 177069*	

#### Iran rial:

November 27, 1972	\$0.0131
November 28, 1972	
November 29, 1972	
November 30, 1972	
December 1, 1972	. 0128

## Philippine peso:

For the period November 27, through December 1, 1972, rate of \$0.1460.

## Singapore dollar:

November	27, 1972	\$0.3614
November	28, 1972	. 3615
	29, 1972	
November	30, 1972	. 3614
December	1, 1972	. 3614

## Thailand baht (tical):

For the period November 27 through December 1, 1972, rate of \$0.0479.

(342.211)

G. R. Dickerson,
Assistant Commissioner,
Office of Operations.

<sup>\*</sup>Certified as nominal.

## Protest Review Decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., October 27, 1972.

The following is a decision made by the Bureau of Customs on a protest filed under section 514, Tariff Act of 1930, as amended (19 U.S.C. 1514), and with respect to which further review was requested and granted under sections 174.23 and 174.24, Customs Regulations.

LEONARD LEHMAN,
Assistant Commissioner,
Office of Regulations and Rulings.

June 13, 1972.

(PRD 72-1)

District Director of Customs
Portland, Oregon 97209

DEAR SIR:

Re: Decision on Application for Further Review of Protest No. 29041000738

This protest was filed against your decision in the liquidation of entry Nos. 925-D, 1053-D, 1764-D, 1922-D, and 2270-D.

The protest involves the question of whether certain charges for testing water turbines imported from Sweden are properly a part of the statutory constructed value of the turbines under the provisions of section 402, Tariff Act of 1930, as amended. The tests were conducted by the manufacturer principally in Sweden and required construction of special test facilities and a model. Some of the final testing was performed in the United States.

It is claimed by the importer that the cost of these tests should not be considered a part of the constructed value of the turbines. Counsel for the importer cites *Brauner & Co.* v. *United States*, R.D. 9673 (1960), wherein the court held that a lump sum paid for certain services rendered for engineering advice and know-how in installing and utilizing imported equipment was not a part of the constructed

value of the equipment. The evidence established that the equipment could have been purchased without contracting for the engineering services, and that the services were purchased by the importer "as a form of insurance to guaranty that if . . . . we ran into trouble we could call upon them for help."

The instant case can be differentiated. The tests in question were necessary to determine whether the water turbines were acceptable to the purchaser. They were not something he chose to have performed "as insurance" that he could get the best from the machinery. They

were an integral step in the production of the turbines.

In this connection, see Fergus Imported Cars, Inc. v. United States, R.D. 10675 (1964), where the court stated, "Inspection of raw materials, of intermediate processes, and of the end product are procedures which contribute to the perfection of the commodity being manufactured. It is a necessary incident to actual production and, in the opinion of this court, this cost is one which is incurred in the course of fabrication" (emphasis supplied). This statement by the court applies equally to tests required to determine whether machinery meets contract specifications.

Counsel for the importer also cites United States v. Rohner Gehrig & Co., Inc., R.D. 4923 (1940), and United States v. Rohner Gehrig & Co., Inc., R.D. 5724 (1942), wherein the court held that fees for engineering services rendered to the importer of supercharging blowers were not part of the export value of the blowers. These cases can be distinguished from the instant case. In the first Gehrig case, the court

stated:

The record shows further that Mr. Buchi had nothing to do with the designing of the supercharging blower such as is covered by the importation in this case. He merely recommends the type of blower to be used with the engine after the changes he suggests are made in the engine.

In the *Gehrig* cases the fees in question were paid to a third party who was not directly involved in the manufacture or sale of the blowers. In the instant case, the tests performed and services rendered were by the manufacturer of the water turbines, and, as noted above, were

necessary to final acceptance by the importer.

Lastly, counsel for the importer cites Treasury Decision 55079(2) which states, in pertinent part, that, "... charges for services and technical assistance *incident* to erection and operation of the imported machinery... are fees, payments and costs of a nondutiable category to be excluded from cost of production or constructed value appraisements" (emphasis supplied). The word "incident" in the context of that decision means "separate and apart." The tests and services in question, however, are not separable from the fabrication of the water

turbines but are, instead, a necessary and integral part of the process by which the turbines are constructed.

Counsel for the importer argues that because certain test equipment and a test model retain a useful life beyond the tests conducted in the instant case, their cost should be depreciated over a period of time or a specified number of tests, and only that part of their cost attributable to the instant case should be added to the cost of production.

The court passed on an analogous situation in Goodrich-Gulf Chemicals, Inc. v. United States, R.D. 11733 (1971). In that case, the question was raised whether salvage value of certain test equipment could be deducted from cost of materials in computing constructed value or cost of production. The court quoted that part of section 402(d)(1) of the Tariff Act of 1930, as amended, which states that cost of materials and fabrication are to be computed on the cost "at a time preceding the date of exportation of the merchandise undergoing appraisement which would ordinarily permit the production of that particular merchandise in the ordinary course of business."

The court then stated:

Clearly, under subsection (1), the element of "cost of materials" is to be ascertained as of the time when such materials were or could have been purchased for the production of the particular merchandise under consideration . . . .

As I find that the testing constituted an integral part of the manufacturing process, and it is not disputed that the materials retained by Ruhrchemie were used in testing the equipment, the cost of these materials falls within the prescribed statutory time period. And it is irrelevant that, upon a later date, their so-called "salvage value" was deducted from the reimbursable testing costs.

This test equipment and model were, apparently, constructed specifically for the testing of the water turbines covered by this protest, and the whole cost of the test equipment and model was borne by the importer. As in the above case, we believe that it is irrelevant that this equipment retained a useful life beyond the instant contract.

On the basis of the above, the Bureau is of the opinion that the charges for the tests and test equipment in question were properly included in the statutory constructed value, and you are hereby directed to deny the protest in full. Your file is returned.

Sincerely yours,

Salvatore E. Caramagno,
Director
Division of
Classification and Value.

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., November 14, 1972.

The following is a decision made by the Bureau of Customs on a protest filed under section 514, Tariff Act of 1930, as amended (19 U.S.C. 1514), and with respect to which further review was requested and granted under sections 174.23 and 174.24, Customs Regulations.

Salvatore E. Caramagno, for Leonard Lehman, Assistant Commissioner, Office of Regulations and Rulings.

October 27, 1972.

PRD 72-2

Area Director of Customs New York Seaport New York, New York 10004

DEAR SIR:

Re: Decision on Application for Further Review of Protest No. 10011021727

This protest was filed against your decision in entry No. 525569, liquidated on June 18, 1971.

The protest concerns the rate of duty to be applied on the entry of a circular knitting machine. Customs officers assessed the column 2 rate of duty and the importer contends that the machine is dutiable at the column 1 rate of duty. It is conceded that the machine was made in East Germany and was exported from West Germany for entry into the United States. It is the position of the Customs officers that the machine is prima facie a product of East Germany and there is no evidence of circumstances which would divest it of its status as such. The importer contends that the machine was used for a period of approximately 27 months in West Germany, that it was not destined for the United States when it left East Germany, and that the ties between East Germany and the machine were effectively broken before importation into the United States.

The question presented by the protest concerns the interpretation of General Headnote 3(e) of the Tariff Schedules of the United States. This headnote provides that the rates of duty shown in column numbered 2 shall apply to the products of certain specified countries, including East Germany, whether imported directly or indirectly.

The specific issue is whether the knitting machine is considered to be "a product of" East Germany. For tariff duty purposes, a manufacture of a country is a product of that country. It is the Bureau's position that, as the machine was admittedly manufactured in East Germany, it remains a product of that country regardless of the initial exporter's intent and its sojourn in a country entitled to the modified rates of duty in the tariff schedules.

Accordingly, you are hereby directed to deny the protest in full.
Sincerely yours,

SALVATORE E. CARAMAGNO, Director Division of Classification and Value.

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., December 7, 1972.

The following are decisions made by the Bureau of Customs on protests filed under section 514, Tariff Act of 1930, as amended (19 U.S.C. 1514), and with respect to which further review was requested and granted under sections 174.23 and 174.24, Customs Regulations.

LEONARD LEHMAN, Assistant Commissioner, Office of Regulations and Rulings.

November, 22, 1972

PRD 72-3

District Director of Customs Seattle, Washington 98104

DEAR SIR:

Re: Decision on Application for Further Review of Protest Nos. 30011000177, 30011000178, 30011000179, and 30011000180

These protests were filed against your decision in the liquidation of entry Nos. 29331, 11559, 26081, and 26947.

The protests involve the question of whether certain spherical bearings imported from Japan are "similar" to those listed in the manufacturer's home market price list within the meaning of section 402a, Tariff Act of 1930, as amended.

In a Bureau ruling made in 1967, it was determined that those

spherical bearings which were listed in the home market price list should be appraised at foreign value represented by the home market price noted in that list, less 67 percent, packed. It was also determined that export value did not exist, and that those bearings not in the list

would be appraised on the basis of cost of production.

The importer contends that the bearings in question are not similar to those listed in the manufacturer's home market price list, and that, therefore, foreign value cannot be established by reference to that price list. The importer believes that the proper basis for appraisement is cost of production, computed by taking the C.I.F. price less ocean freight and insurance.

It is further contended that in the case of Protest No. 30011000178, the appraising officer used the price for a bearing other than the bearing

which was actually imported.

It is your position, concurred in by the Area Director, New York

Seaport, that the bearings are similar.

In a memorandum dated May 5, 1972, the Area Director, New York Seaport, asserts:

In the Ball & Roller Bearing industry, manufacturers advertise their merchandise in price lists, brochures, and general catalogs with universal dimensions which is the "standard norm" for the Outside Diameter, Width, Radius, Ball & etc. of a particular

Because of the multiple uses of Ball & Roller Bearings, manufacturers must be flexible in the manufacture of such merchandise. This flexibility is translated in the form of modifications to the "standard norm" of a bearing. These modifications can be additions or deletions to the "standard norm" and are expressed in the form of prefixes and suffixes. This system of symbols is universally used by Ball & Roller Bearing manufacturers. \* \* \*

It is our contention, supported by the views of the industry, that a modification in any form does not remove a particular ball or roller bearing from being the "same as" the one advertised in the manufacturer's price list or catalog, subject to additions for modifications. A prefix or suffix merely indicates additional or less work done on a standard bearing.

The question of "similarity" in a "Section 402a" sense does not enter this issue in view of the aforementioned information.

We cannot agree with the Area Director. The bearings in question clearly are neither physically nor commercially the "same as" their counterparts listed in the manufacturer's home market price list, if "same as" means "identical with." Further, the importer bases his protest on the question of similarity, and we must address our review to this question.

The term "similar" has been the subject of a number of court cases. For our purposes, however, it will suffice to consider the criteria for similarity laid down in the three leading cases.

In United States v. Irving Massin & Bros., T.D. 42714 (1928), the U.S. Court of Customs Appeals gave the classic statement of the rule:

In view of the common meaning of the word "similar"... we are of opinion, and so hold, that if goods are commercially interchangeable, are adapted to substantially the same uses, and are so used, ordinarily they are similar...

This language was quoted with approval by the court in *United States* v. Oscar E. Eggen (American Express Co.) et al., C.A.D. 939 (1968). In that case, the court was asked to determine whether ball bearings in inch-size dimensions were similar to ball bearings in metric-size dimensions, the bearings being physically identical in all other respects. The court found the bearings were neither mechanically nor commercially interchangeable, and, therefore, were not similar.

In the most recent "similarity" case, E. J. Brach & Sons v. United States, R.D. 11721 (1970), the court again affirmed the criteria enunciated in the Massin case, and particularly the test of commercial interchangeability.

In the instant case, the evidence indicates that the imported bearings differed from those listed in the home market price list in several important respects:

- 1. They were made by a different manufacturing process.
- 2. They were made, in part, of different materials.
- They were made to different specifications, to withstand greater stresses.

Because of these differences, it is the opinion of the Bureau that the bearings listed in the manufacturer's home market price list for sale in Japan are not commercially interchangeable with the bearings imported for sale in the United States. Applying the *Massin* test, therefore, it must be concluded that the imported bearings are not similar to the domestic bearings within the meaning of section 402a. It follows that the home market price list cannot be used, and, as foreign value does not exist, these bearings should be appraised on the basis of cost of production.

In view of the above determination, it will not be necessary to consider that part of protest No. 30011000178 dealing with the question of whether a wrong bearing number from the home market price list was used.

You are hereby directed to allow the protests in full in accordance with the foregoing determination. Your file is returned.

Sincerely yours,

SALVATORE E. CARAMAGNO,
Director
Division of
Classification and Value

## December 4, 1972

#### PRD 72-4

District Director of Customs Seattle, Washington 98104

DEAR SIR:

Re: Decision on Application for Further Review of Protest No. 30010000063

This protest was filed against your decision in entry No. 115943, liquidated on October 30, 1970.

The protest concerns the classification of merchandise described as handbags of PVC coated rattan. Five styles, designated A7, A9, A22, A23, and A24, are involved in the protest. All are composed of rattan which is coated with PVC, and all contain leather components. The merchandise was classified by Customs officers in item 706.60, Tariff Schedules of the United States (TSUS), as handbags of materials other than leather or other specifically enumerated materials, with duty at the rate of 20 percent ad valorem. The importer contends that they are properly classifiable in item 706.08, TSUS, as handbags of leather, with duty at the rate of 14 percent ad valorem, the rate applicable to that item number when they were entered. The issue is whether the handbags are in chief value of leather or in chief value of the PVC.

Pursuant to Headnote 3, Subpart D, Part 1, Schedule 7, hardware and linings are disregarded in determining the component material of chief value in handbags. A breakdown of the applicable component costs, as supplied with the invoice, is as follows:

STYLE NO.	PVC	RATTAN	COST OF WEAVING	LINING & HARDWARE	LEATHER	TOTAL OF COMPONENTS	UNIT
A7	. 15	. 09	. 09	. 14	. 17	. 64	. 82
A9	. 15	. 09	. 09	. 15	. 17	. 65	. 78
A22	. 18	. 11	. 15	. 28	. 24	. 96	1.34
A23	. 17	. 105	. 22	. 28	. 25	1.025	1.35
A24	. 14	. 085	. 23	. 31	. 27	1.035	1.37

The question of chief value is in issue because of the manner in which the cost of weaving is allocated among the component materials. The importer contends that the only labor charge shown in the breakdown of the materials is for weaving, and that there were obviously other costs such as the labor costs for the application of the leather. If the cost for the application of the leather is added to the cost of the leather, the leather will remain the component material of chief value.

In classifying the handbags under item 706.60, TSUS, Customs officers prorated the weaving cost between the PVC and the rattan

according to the relative weights of these components. 74.1 percent of the labor cost for weaving was allocated to the PVC. This percentage was arrived at on the basis of a laboratory analysis of like material in a prior import. The vinyl tubing was shown to make up 74.1 percent of the material by weight, and the rattan 25.9 percent.

In the construction of these handbags, the PVC coated rattan is woven into the basket body of the handbag to which there is added the leather strips, handles, hardware, etc. The cost of weaving as supplied by the manufacturer relates only to the weaving of the basket. Other costs, such as the costs of assembly, packing, profit, etc., are reflected in the difference between the total cost of the components and the unit price of the article. These costs are not considered in determining the component material of chief value.

It is well settled that the proper method of determining the component material of chief value is to ascertain and compare the costs to the manufacturer of the separate parts or component materials at the time they are in such condition that nothing remains to be done to them except to combine them to make the complete article. *United States* v. *Perez*, 44 C.C.P.A. 35, C.A.D. 633 (1957); *United States* v. *H. A. Caesar & Co.*, 32 C.C.P.A. 142, C.A.D. 299 (1945); *Wheeler & Miller* v. *United States*, 54 Cust. Ct. 137, C.D. 2521 (1965).

In the present case, the components are not in a state for final assembly until the basket body is assembled. Therefore, the costs of weaving are properly allocated between the PVC and the rattan which make up the handbag body prior to assembly. The cost of applying the leather is properly a cost of assembly and is not germane to the determination of the component material of chief value.

On the basis of the above, the Bureau is of the opinion that the handbags in question are not in chief value of leather and were properly classified in item 706.60, TSUS, and you are hereby directed to deny the protest.

Sincerely yours,

SALVATORE E. CARAMAGNO,

Director

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